

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

119

CWP-25063-2022

Date of decision: 01.11.2022

GURWINDER SINGH DHILLON

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- None.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been instituted under Articles 226/227 of the Constitution of India, 1950 in the nature of Mandamus for seeking issuance of directions to respondents to release the payment of 4th & final bill amounting Rs. 20,37,239/- qua the work of providing Water Supply Scheme for village Gurusar Kaunke, Block Jagraon, District Ludhiana under PRWSSIP Sub Component 1A/(ii)/JJM executed by the petitioner alongwith interest @ 12 % p.a.

Local Bar Association is abstaining from work today.

Briefly summarized, the claim of the petitioner is that the aforesaid work of providing water supply scheme to the village mentioned above was allotted to the petitioner on 24.04.2021 (Annexure P-1). The aforesaid work has been successfully executed by the petitioner on 30.03.2022. The payment of 03 running bills has been released, however, the payment of the 4th & final bill for the amount referred to above has not been released despite the same being duly verified and approved by the concerned Sub Divisional Engineer. A number of representations are stated to have been served by the

petitioner. A representation dated 19.09.2022 submitted to the Executive Engineer, Water Supply & Sanitation Division No.3, Ludhiana for seeking release of the payment has been appended alongwith the petition as Annexure P-3.

Reliance is also placed on various precedent judgments passed by this Court where undisputed payments have not been released to the contractors.

Taking into consideration the totality of the circumstances noticed above and without commenting on the merits of the case or admissibility of the claim therein and also the fact that a representation espousing the grievances has already been submitted by the petitioner to the respondent authorities, it is deemed appropriate to dispose of the present petition directing the respondent No.4-Executive Engineer, Water Supply and Sanitation Division No.3, Ludhiana to decide the representation dated 19.09.2022 (Annexure P-3) within a period of 03 months of receipt of certified copy of this order after granting an opportunity of hearing to the respective parties.

In the event, any such amount is found due by the respondent authorities upon consideration of the respective claims, such undisputed amount shall be released to the petitioner forthwith and preferably within a period of 03 months thereafter.

Petition is disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 01, 2022

Vishal sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No