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

CWP No.18278 of 2017 (O&M)

Date of Decision: 30.03.2022

SATISH KUMAR CONTRACTORPetitioner

Vs

PUNJABI UNIVERSITY THRU ITS REGISTRAR AND ORS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. R.K. Girdhar, Advocate
for the petitioner.

Mr. G.S. Dhillon, Advocate
for the respondents.

RAJ MOHAN SINGH, J.(Oral)

Petitioner has preferred this writ petition for the issuance of an appropriate writ in the nature of mandamus directing the respondents to release an amount of Rs.9,70,067/- due in favour of the petitioner along with interest.

As per stand taken by the respondents-University, time for completion of work was extended from time to time. Admittedly payment of first running bill to the tune of Rs.8,74,888/- was made on 02.08.2016 as the work done corresponding to the aforesaid bill was done within the time prescribed. The second running bill was received in the office of respondent No.2 from the office of respondent No.3. The bill

was submitted in the office of DCLA, Local Audit, Government of Punjab on 14.11.2018. Liability towards second bill is also an admitted fact.

Respondents have admitted the aforesaid liability to the extent of Rs.8,68,301/-. Their only prayer is that the interest on this admitted liability be not imposed as they had brought the demand draft in view of order passed by the Co-ordinate Bench of this Court on 23.10.2019. Admittedly, the demand draft was not encashed. The amount always remained with the respondents. The work done by the petitioner has not been disputed towards issuance of second bill.

In view of aforesaid position, it would be just and appropriate to direct the respondents to make payment of Rs.8,68,301/- along with interest @ 6% per annum from 14.11.2018 till final realization of the amount.

The respondents shall make the aforesaid payment within a period of one month, failing which the amount of interest shall carry interest @ 9% per annum till final realization of the amount.

This writ petition is accordingly disposed of.

(RAJ MOHAN SINGH)
JUDGE

March 30, 2022

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Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No