

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

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**CWP-28864-2022
Date of decision: 15.12.2022**

BALVINDER SINGH

.....Petitioner

VERSUS

PUNJAB STATE POWER CORPORATION LIMITED THROUGH
ITS ADDITIONAL SUPERINTENDING ENGINEER, CS & IT

.....Respondents

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

Present:- Mr. Arun Jindal, Advocate
for the petitioner.

Mr. Karan Kaushal, Advocate
for respondents.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus directing the respondents No.2 to 4 to decide the representation dated 10.10.2022 (Annexure P-11) and to release the due amount including security amount qua work executed by the petitioner.

Learned counsel appearing on behalf of the petitioner contends that the petitioner is a Government Contractor under the name & style “M/s Cosmic Power Engineers” and the petitioner has been issued work order cum Contract Agreement dated 07.06.2016. The petitioner deposited a sum of Rs. 10,00,000/- as earnest Money at the time of allotment of the work.

The petitioner successfully completed the work for the period from 01.05.2016 to 31.05.2019 and the respondent-PSPCL issued No Dues Certificate in September, 2019 but till date the respondent-PSPCL has not been released the due payment to the petitioner.

It is contended that the bill with respect to the aforesaid work has already been sent to the respondent-PSPCL and various representations including Legal Notice dated 10.10.2022 has been made by the petitioner to the respondent-authorities for release of his due payment.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.2-Chief Engineer, Central Zone, Punjab State Power Corporation Limited (PSPCL) is directed to look into the Legal Notice dated 10.10.2022 and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Mr. Karan Kaushal, Advocate entered appearance on behalf of respondents and has no objection in the event such prayer of the petitioner as aforesaid is accepted.

Accordingly, the present petition is disposed of with consent and without commenting on the merits of the claim, with a direction to respondent No.2-Chief Engineer, Central Zone, Punjab State Power Corporation Limited (PSPCL) to examine the grievance espoused by the petitioner in the Legal Notice dated 10.10.2022 and to pass a reasoned and speaking order thereupon within a period of 03 months of the receipt of certified copy of this order after affording an opportunity of hearing to the respective parties.

Needless to mention that in the event any amount is found payable, the same shall be released forthwith and preferably within a period of 03 months of such a decision being taken by the respondent-authorities.

The petition is accordingly disposed of.

(VINOD S. BHARDWAJ)
JUDGE

DECEMBER 15, 2022
Vishal Sharma

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No