

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

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**CWP-28871-2022 (O&M).
Date of Decision: 15.12.2022.**

Navneet Kumar

... Petitioner

Versus

Union of India and others

... Respondents

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

Present: Mr. Tajinder Pal Singh Makkar, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been preferred by the petitioner under Articles 226/227 of the Constitution of India, seeking issuance of a writ in the nature of mandamus directing the respondents to make the payment of pay Rs.4,11,047/- on account of the payment for the work executed by the petitioner along with interest @ 12% per annum.

The petitioner claims to be Government Contractor having been assigned the work of Repair of Hussainiwala-Ferozepur Cantt.- Malwal Road from KM 0.00 to 17.97 Section of NH-05 in the State of Punjab vide letter No.3155 dated 07.01.2022 (Annexure P-1).

Learned counsel for the petitioner contends that the work of Repair of Hussainiwala-Ferozepur Cantt.- Malwal Road from KM 0.00 to 17.97 Section of NH-05 in the State of Punjab, stands successfully

executed, however, the payment against the execution of the aforesaid work has not been released, even though the final bills submitted by the petitioner already stands approved by the competent authority. He further contends that in this regard, a representation dated 28.07.2022 has been sent by the petitioner vide Annexure P-3 and that despite a lapse of more than 4½ months since the date of representation neither any decision has been taken thereupon nor has the due and undisputed payment been released by the respondents. He contends that he would be satisfied in case the respondent authorities are directed to look into the representation and the grievance espoused by the petitioner therein and a speaking order is passed thereupon in accordance with law and in a time bound manner.

Notice of motion.

Mr. Raghujeet Singh Madan, accepts notice on behalf of respondent No.1/UOI and Ms. Swastika Sharma, Advocate, accepts notice on behalf of respondent No.2/NHAI whereas Mr. Saurav Verma, Addl. A.G., Punjab, accepts notice on behalf of respondents No.3 and 4 and they have no objection to the aforesaid prayer being granted.

Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present petition is disposed of and respondent No.4 is directed to take note of the representation dated 28.07.2022 (Annexure P-3) sent by the petitioner and to pass a speaking and reasoned order thereupon in accordance with law and preferably within a period of three months from the date of receipt of certified copy of this order.

Needless to mention that in the event the entitlement of the petitioner being established as per law, the payment due to the petitioner

shall be released expeditiously and preferably within a further period of three months.

Petition stands disposed of accordingly.

December 15, 2022.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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