

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

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**CWP-29757-2022
Date of decision: 22.12.2022**

M/S R.S. BUILDERS

.....Petitioner

VERSUS

THE STATE OF PUNJAB AND OTHERS

.....Respondents

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

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

Ms. Niharika Sharma, AAG, Punjab
for respondents No.1, 3 to 5.

Mr. Anupam Singla, Advocate
for respondent No.2.

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 to release the due payment of Rs. 4,30,000/- qua the works executed by the petitioner alongwith interest @ 12% per annum.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted work of Construction of New Primary School Building at Village Majri Ghat in District Rupnagar vide Letter No. 7018-2021. The petitioner successfully completed the same on 02.09.2015. However, the balance payment of Rs. 4,30,000/- has not been released to the petitioner.

It is contended that the bill with respect to the aforesaid work has already been sent to the respondent-authorities and various representations including representation dated 15.09.2022 (Annexure P-3) has been made by the petitioner to the respondent No.5-the Executive Engineer, Construction Division, PWD, B & R Branch, Rupnagar 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.5-the Executive Engineer, Construction Division, PWD, B & R Branch, Rupnagar is directed to look into the representation dated 15.09.2022 (Annexure P-3) and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Ms. Niharika Sharma, AAG, Punjab appears and accepts notice on behalf of respondents No.1, 3 to 5 and has no objection in the event such prayer of the petitioner as aforesaid is accepted.

Mr. Anupam Singla, Advocate appears and accepts notice on behalf of respondent No.2.

Accordingly, the present petition is disposed of with consent of the parties and without commenting on the merits of the claim, with a direction to respondent No.5-the Executive Engineer, Construction Division, PWD, B & R Branch, Rupnagar to examine the grievance espoused by the petitioner in the representation dated 15.09.2022 (Annexure P-3) 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 alongwith 6 % interest from the date of filing of the present petition till disbursement.

The petition is accordingly disposed of.

(VINOD S. BHARDWAJ)
JUDGE

DECEMBER 22, 2022

Vishal Sharma

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