

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-4598-2020 (O&M).
Date of Decision: 29.08.2023.

M/S SURYA CONSTRUCTIONS

.. Petitioner

Versus

THE STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Mr. Chirag Girdhar, Advocate, for the petitioner.

Ms. Niharik Sharma, AAG, Punjab.

Mr. Anish Chopra, Advocate, for respondent No.4.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present writ petition is for seeking issuance of directions to the respondents to make the due payment of Rs.21,56,178/- qua the work of construction of RCC Road by laying RMC (M-30) from Pipal Chowk to Sharu Steel Road Ward No.13, Ludhiana, executed by the petitioner along with interest @ 12% per annum.

Reply on behalf of the respondents has not been filed despite appearance.

Learned counsel for the petitioner contends that he will be satisfied in case, at this juncture, the present petition is disposed of with a

direction to the respondents to decide the legal notice dated 14.01.2020 (Annexure P-2) sent by the petitioner in a time bound manner.

The above said prayer is not opposed to by the counsel for the respondent-State.

Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present petition is disposed of and the respondent No.4 - the Superintending Engineer, Ludhiana Improvement Trust, Ludhiana, is directed to take note of the legal notice dated 14.01.2020 (Annexure P-2) sent by the petitioner and to pass a reasoned and speaking 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 after affording an opportunity of hearing to the respective parties.

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.

In the event, the claim is found admissible/payable to the petitioner on such adjudication and the due payment as admissible is not released within the period as aforesaid, the petitioner shall be entitled to interest @ 6% per annum from the date of filing of the present petition till its reimbursement.

Petition stands disposed of accordingly.

August 29, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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