

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

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**CWP-4755-2023
Date of decision: 10.03.2023**

M/S KHARA CONTRACTORS

.....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.

Mr. Saurav Verma, Addl. A.G. Punjab
for the 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 to release the due payment of Rs. 60,00,000/- including security 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 Rehabilitation, Renovation and Modernization of Saidupur Minor from RD 0 to 15000 Tail, Khiala Minor from RD 0 to 18054 Tail and Bhitewad Minor from RD 0 to 14181 Tail vide letter dated 04.03.2021 and the same have also been successfully completed on 07.05.2021. The payment of running bills has also been released to the

petitioner but the balance payment of Rs. 60,00,000/- from final bill including security amount 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 latest representation dated 01.11.2022 has been sent by the petitioner to the respondent No.4-the Executive Engineer, Amritsar Drainage Division, Amritsar 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.4-the Executive Engineer, Amritsar Drainage Division, Amritsar is directed to look into the representation dated 01.11.2022 and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Mr. Saurav Verma, Addl. A.G. Punjab appears and accepts notice 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.4-the Executive Engineer, Amritsar Drainage Division, Amritsar to examine the grievance espoused by the petitioner in the representation dated 01.11.2022 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

MARCH 10, 2023
Vishal Sharma

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