

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-6411-2023 (O&M).

Date of Decision: 27.03.2023.

M/s H.R. & Company

.. 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.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been preferred by the petitioner seeking issuance of an appropriate writ in the nature of Mandamus directing the respondents to release the due payment of Rs.6,44,784/- qua the works, executed by the petitioner.

The petitioner claims to be Government Contractor having been assigned the work of providing and laying Water Supply Schemes. A copy of the allotment letter has been appended with the present petition as Annexure P-1.

Learned counsel for the petitioner contends that the aforesaid works stand successfully executed, however, the payment against the execution of the aforesaid works has not been released yet, even though the final bills submitted by the petitioner already stand approved by the competent authority. A copy of the Final Bill has been appended with the present petition as Annexure P-2. He contends that in this regard, a representation dated 05.09.2022 (Annexure P-3) followed by subsequent representation dated 16.12.2022 (Annexure P-4) have been sent by the

petitioner and that despite lapse of more than six months since the date of the first representation neither any decision has been taken thereupon nor has the due and undisputed payment been released by the respondents. He further 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.

On the asking of the Court, Mr. Saurav Verma, Addl. A.G. Punjab, who is present in Court, accepts notice on behalf of the respondents and submits that he has 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 - the Executive Engineer, Water Supply and Sanitation Division, Khanna, District Ludhiana, is directed to take note of the representation dated 05.09.2022 (Annexure P-3) followed by subsequent representation dated 16.12.2022 (Annexure P-4) sent by the petitioner and to pass a reasoned and speaking order thereupon in accordance with law 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.

March 27, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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