

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

229

CWP-19817-2019 (O&M)
Date of Decision: 22.08.2023

M/S OSHO ENGINEERING PVT LTD

... Petitioner

VERSUS

STATE OF PUNJAB AND ORS

... Respondents

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

Present: Ms. Ananya, Advocate for Mr. Tarun Seth,
Advocate for the petitioner.
Ms. Niharika Sharma, AAG, Punjab.
Mr. Parambir Singh, Advocate for respondents No.4 to 7.

VINOD S. BHARDWAJ, J. (ORAL)

The present petition has been filed for issuance of directions to the respondents to grant interest @ 12% per annum which comes to Rs.38,71,898/- on delayed payment of the works executed by the petitioner and also to pay future interest.

Apparently and undisputedly, the matter relates to grant of interest on delayed payments released in favour of the petitioner.

Learned counsel appearing on behalf of the petitioner, however, fairly submits that the petitioner is willing to withdraw the present petition enabling him to avail alternative efficacious remedy of approaching the Civil Court for seeking the aforesaid relief since various judgments of the High Court have held the petitioners (in the concerned petitions) to be entitled for interest in the cases where there is an inexplicable delay in release of the due payment. The petitioner also seeks liberty to raise all such pleas before the Civil Court and/or any other competent Forum/Authority in appropriate proceedings and at appropriate stage.

The aforesaid prayer is not opposed by the learned counsel for the respondents.

Accordingly, without commenting anything on the merits of the each case, the present petition is disposed of as withdrawn with the liberty as aforesaid.

Furthermore, the period for which the present petition remained pending before this Court shall be taken into consideration while computing limitation.

Any other misc. application(s) also stand(s) disposed of accordingly.

AUGUST 22, 2023
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No