

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

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CWP-30934-2019

Date of Decision: 02.02.2023

RATTAN SINGH CONTRACTOR

... Petitioner

VERSUS

THE STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Mr. Satnam Singh, Advocate for
Mr. T.P.S.Makkar, Advocate for the petitioner.

Mr. Vishnav Gandhi, DAG, Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been instituted under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Mandamus directing the respondents to make the payment of works executed by the petitioner alongwith interest @ 12% per annum.

Learned counsel for the petitioner submits that the petitioner has received the entire due payment, however, now the grievance remains only with regard to the interest on delayed payment. He, however, further 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 releasing 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 State Counsel.

Accordingly, without commenting anything on the merits of the each case, the present petition stands disposed of as withdrawn with the liberty as aforesaid.

02.02.2023
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No