

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-1449-2024 (O&M).
Date of Decision: 23.01.2024.

M/S BHUSHAN CHHURA & CO.

.. Petitioner(s)

Versus

THE STATE OF PUNJAB AND OTHERS

... Respondent(s)

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

Present: Mr. Chirag 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 amount of Rs.1,02,07,695/- qua the work of Widening and Strengthening of Phagwara-Jandiala-Nakodar Road KM 0.00 to KM 8.60 in District Kapurthala, executed by the petitioner, along with interest @ 12% per annum.

Learned counsel for the petitioner contends that the work of Widening and Strengthening of Phagwara-Jandiala-Nakodar Road KM 0.00 to KM 8.60 in District Kapurthala, was allotted to the petitioner vide allotment letter No.3281 dated 16.02.2021 (Annexure P-1) and the payment of seven running bills has been released to the petitioner, however, the payment of 8th and final bill has not been released even though the aforesaid work stands successfully executed. He contends that in this regard, a

representation dated 01.01.2024 (Annexure P-3) has been sent by the petitioner and that despite a lapse of about one month since the date of the 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 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 the respondent No.5-the Executive Engineer, Construction Division No.2, PWD B & R Branch, Kapurthala, is directed to take note of the representation dated 01.01.2024 (Annexure P-3) 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.

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.

23.01.2024
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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