

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-6494-2024 (O&M)
Date of decision: 18.03.2024

M/s OCC-ACC JV, Head Office at 37, Phulkian Enclave, Patiala

...Petitioner

VERSUS

State of Punjab and others

...Respondents

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

Present :- Ms. Mehak Sawhney, Advocate for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

1. The instant petition has been preferred by the petitioner seeking issuance of an appropriate writ especially in the nature of Mandamus directing the respondents to make the due payment of Rs.15,30,000/- qua the work executed by the petitioner along with interest @ 18% per annum.
2. Learned counsel for the petitioner contends that the petitioner was allotted the work on 03.01.2020 by the respondents and the same was to be completed within a period of 12 months from the date of acceptance of letter of allotment. The petitioner after commencing the work submitted 1st and 2nd running bills to the respondents which already stand approved by the competent authority but the due payment has not been released to the petitioner as yet. He contends that in this regard, a representation dated 28.02.2024 (Annexure P-4) has been sent by the petitioner but 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 aforesaid 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.

3. Notice of motion.
4. Mr. Vipin Pal Yadav, Addl. AG Punjab, accepts notice on behalf of the respondents-State and submits that he has no objection to the aforesaid prayer being granted.
5. 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, Department of Water Supply & Sanitation, Division No.1, Batala, District Gurdaspur, Punjab, is directed to take note of the representation dated 28.02.2024 (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.
6. 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.
7. Petition stands disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

18.03.2024

Mangal Singh

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