

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-7773-2024 (O&M)
Date of decision: 08.04.2024

Balbir Singh Contractor

...Petitioner

VERSUS

State of Punjab and others

...Respondents

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

Present :- Mr. TPS Makkar, Advocate for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

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.10,66,359/- qua the works executed by the petitioner along with interest @ 12% per annum.

Learned counsel for the petitioner contends that on 18.04.2023, the work of laying of 200 mm o/d uPVC pipe SN-8 Pipe Sewer in Mai Bhago Enclave, Kotkapura-Bathinda Bypass Road at District Sri Muktsar Sahib was allotted to the petitioner and the same stands successfully executed, however, the outstanding payment against the execution of the aforesaid works have not been released yet. He contends that in this regard, a representation dated 09.10.2023 (Annexure P-2) has been sent by the petitioner and that despite a lapse of more than 05 months since the date of the aforesaid 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 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.

Notice of motion.

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.

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.3-Executive Engineer, Water Supply and Sanitation, Division No.2, Sri Muktsar Sahib, is directed to take note of the representation dated 09.10.2023 (Annexure P-2) 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.

(VINOD S. BHARDWAJ)
JUDGE

08.04.2024

Mangal Singh

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