

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

270-4

CWP-26571-2021

Date of Decision: 14.03.2024

RAJESH KUMAR

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. Dalip Kumar Tuteja, Advocate for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana
for respondents No.1 to 3.

Mr. Navneet Singh, Advocate for
Mr. Pravindra Singh Chauhan, Advocate
for respondents No.4 and 5.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for directing the respondents to pay interest to the petitioner on the delayed release of payment qua the work(s) executed by the petitioner alongwith the security amount deposited by him.

Undisputedly, the matter relates only to grant of interest on delayed payments released in favour of the petitioner.

Learned counsel for the petitioner, however, fairly submits that the petitioner is willing to withdraw the present petition to avail alternative efficacious remedy of approaching the Civil Court for seeking the said relief. This High Court has held in various precedent orders that the petitioners (in the respective petitions) were entitled to interest in cases where there is an inexplicable delay in release of the due payment for no valid reasons. The petitioner seeks liberty to raise all such pleas before the Civil Court and/or any other competent Forum/Authority, in an appropriate proceeding(s) and at an appropriate stage.

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

Accordingly, without commenting on the merits, the present writ petition is disposed of as withdrawn with liberty to the petitioner to avail his remedies, in accordance with law.

MARCH 14, 2024
rajender

(VINOD S. BHARDWAJ)
JUDGE

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