

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-17255-2023 (O&M)
Date of decision: 13.03.2024

M/s A.G. Construction Co., # 922, Street No.9, Ganesha Basti, Bathinda

...Petitioner

VERSUS

The State of Punjab and others

...Respondents

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

Present :- Mr. Chirag Girdhar, Advocate for the petitioner.

Mr. Aditya Sharda, DAG Punjab.

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 release the due amount of Rs.62,47,943/- including security and bank guarantee qua the works executed by the petitioner along with interest @ 12% per annum.

Learned counsel for the petitioner contends that the works of construction of Govt. School Basti Danishmanda and Shri Guru Ravidass Maharaj Ji Community Hall at Jalandhar, were allotted to the petitioner on 24.02.2021 and the same were commenced immediately and stand completed. The payment of running bills has been released to the petitioner, however, the payment of final bills, security and bank guarantee of the said works, have not been released yet, even though the final bills submitted by the petitioner already stand approved by the competent authority. He contends that in this regard, two representations dated 15.06.2023 and

24.06.2023 (Annexures P-4 and P-5) have been sent by the petitioner and that despite a lapse of more than 08 months since the date of the aforesaid representations neither any decision has been taken thereupon nor has the payment as stated above 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 representations 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.

Learned State counsel 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.5-The Executive Engineer, Provincial Division, PWD B&R Branch, Jalandhar Cantt., is directed to take note of the representations dated 15.06.2023 and 24.06.2023 (Annexures P-4 and P-5) 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

13.03.2024
Mangal Singh

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