

2024:PHHC:121584



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH.

116

CWP-23453-2024 (O&M).
Date of Decision: 16.09.2024.

JASVIR SINGH, CONTRACTOR

... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

... Respondent(s)

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

Present: Mr. Jatinder Nagpal, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been preferred by the petitioner for seeking issuance of an appropriate writ in the nature of Mandamus directing the respondents to release the balance full and final payment including the security amount along with interest @ 18% per annum. An alternative prayer has also been made for directing the respondents to decide the legal notice dated 16.07.2024 (Annexure P-3).

2 At the very outset, learned counsel for the petitioner submits that the petitioner would be satisfied in case a direction is issued to the respondent No.3-the Senior Executive Engineer, Civil Construction and Maintenance Division, PSPCL, Jalandhar, to decide the legal notice dated

2024:PHHC:121584



16.07.2024 (Annexure P-3) sent by the petitioner by passing a speaking and reasoned order in accordance with law and in a time bound manner.

3 Notice of motion to respondents No.1 and 3 only.

4 Ms. Akshita Chauhan, DAG, Punjab, who is present in Court, accepts notice on behalf of respondent No.1 and Mr. Ferry Sofat, Advocates, accepts notice and files power of attorney on behalf of respondent No.3-the Senior Executive Engineer, Civil Construction and Maintenance Division, PSPCL, Jalandhar. They have 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 writ petition is disposed of with a direction to the respondent No.3-the Senior Executive Engineer, Civil Construction and Maintenance Division, PSPCL, Jalandhar, to consider the legal notice dated 16.07.2024. (Annexure P-3) sent by the petitioner and to pass a speaking and reasoned order thereupon in accordance with law within a period of three months from the date of receipt of certified copy of this order after granting an opportunity of hearing to the petitioner.

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.

2024:PHHC:121584



7 In the event of non-payment of dues within the said period, the same shall be released along with interest @ 6% per annum from the date of filing of the present petition to be paid to the petitioner and further subject to additional payment of a cost of Rs.50,000/- to be deposited with the PGI Poor Patients’ Welfare Fund, Chandigarh. The said additional financial liability on accrued interest and cost shall be subject to recovery from the erring officials.

8 Petition stands disposed of accordingly.

September 16, 2024.	(VINOD S. BHARDWAJ)
raj arora	JUDGE
Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No