



CWP-16652-2022

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-16652-2022

Date of decision:14.01.2026

M/S JUNEJA CONSTRUCTION COMPANY ...PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS ...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Dinesh Arora, Advocate and
Mr. Jatin Sehra, Advocate
for the petitioner.

Ms. Svaneel Jaswal, Addl. A.G., Haryana,
for State-respondent No.1.

Mr. Vivek Chauhan, Advocate
for respondents No.2 to 9.

SUVIR SEHGAL, J.

1. Petitioner has approached this Court, *inter alia*, for issuance of a writ in the nature of mandamus directing respondents to release an amount of Rs.19,83,044/- as calculated by them alongwith interest @ 18% per annum.

2. Petitioner is a partnership firm and is an empanelled Class-1

Contractor with the Government of Haryana. Petitioner was given a work



order for construction of flatted factories at HSIIDC, Sector 59, Faridabad, vide communication dated 02.08.2007, Annexure P-2, and later scope of the work was enhanced vide letter dated 25.03.2009, Annexure P-4. Counsel states that petitioner completed the work and sent an intimation dated 07.12.2009, Annexure P-5, to HSIIDC and demanded payment for extra rate of steel, which had been recommended by respondent No.6 vide letter dated 09.05.2008, Annexure P-3. Counsel asserts that principal partner of petitioner-firm suffered a brain stroke and could not pursue the payment of the balance amount for a number of years and in response to a communication addressed by him, vide letter dated 20.06.2019, Annexure P-7, he was informed that it has been found that an amount of Rs.19,83,044/- has been calculated to be due to him, but approval has not been given by Head Office. Counsel states that after serving a legal notice, this petition has been filed as petitioner is legally entitled to aforesaid amount. Counsel has placed on record a copy of receipt bearing No.1213 dated 01.04.2025 to state that cost of Rs.2500/- imposed by this Court has deposited with Social Welfare Fund Committee of Bar Clerks Association, Punjab and Haryana High Court, Chandigarh. *Xerox* copy of the receipt has been taken on record.

3. Writ petition has been contested by HSIIDC, respondents No.2 to 9, by filing a response, wherein it has been stated that entire amount due has been disbursed against 17 running bills submitted by petitioner and security deposited by it, has also been refunded. Communication, Annexure P-7, has not been denied, but an objection has been taken that petition is hopelessly delayed as the work was completed in the year 2009 and even



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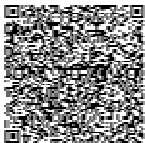
final payment was made in same year. Counsel for respondents No.2 to 9 has urged that as claim has become barred by time, petition cannot be entertained.

4. I have heard counsel for the parties and considered their respective submission.

5. An examination of the respective stand of the parties show that work allotted to petitioner, including enhanced work, was duly completed and entire payment was released to petitioner in the year 2009. A perusal of letter dated 20.06.2019, Annexure P-7, which is an inter-department communication, shows that amount found due to the petitioner has been calculated as Rs.19,83,044/- as per the terms of the contract, though approval has not been received from Head Office. A copy of this letter was also sent to petitioner in response to a communication addressed by him. This letter amounts to an admission as well as acknowledgment of the amount due to petitioner. An acknowledgment by virtue of Annexure P-7, has the effect of commencing of a fresh period of limitation in view of Section 18 of Limitation Act, 1963. As this letter was issued in the year 2019, respondents cannot raise an objection that claim is barred by time nor can they with-hold the payment on the ground that approval by a higher authority is awaited.

6. For the reasons recorded above, respondents No.2 to 9 are directed to release payment of Rs.19,83,044/- to petitioner within a period of three months from the date of communication of a copy of this order, failing

which, the aforesaid respondents shall pay interest @ 6% per annum from



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the date of acknowledgment of liability i.e. 20.06.2019, till the date of release of amount.

7. With the above direction, writ petition is disposed of.

14.01.2026
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No