

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-25080-2017 (O&M)
Date of Decision: 23.01.2019

Raj Singh

--Petitioner

Versus

State of Haryana & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Jitender Singh, Advocate for the petitioner.

Mr. Siddharth Sanwaria, D.A.G., Haryana.

Mr. Ashok S. Chaudhary, Advocate for respondent no.5.

TEJINDER SINGH DHINDSA.J (Oral)

Reply on behalf of respondent no.5 has been filed in Court today and the same is taken on record. Copy has been furnished to counsel opposite.

Brief facts, which are not in dispute, are that the petitioner submitted his tender for a particular work i.e. construction of boundary wall and construction of iron grill of Dhokal Mal Park, Kanina, District Mahendergarh and which was accepted by Municipal Committee, Kanina/respondent no.5 and the work was allotted vide order dated 4.10.2012 (Annexure P-1).

Instant writ petition has been filed raising a short grievance that inspite of the work having been completed as per norms and bills for amount of Rs.3,21,966/- having been submitted, the requisite payment has not been released till date.

Upon notice having been issued, reply on behalf of respondent no.5 has been filed. In the reply, it is submitted that the work in question had been executed by the petitioner. It is further conceded that even the

bills in question have already been passed.

Learned counsel representing respondent no.5, however, submits that on account of financial constraints, the amount has not yet been released.

The justification sought to be projected on behalf of respondent no.5 cannot be accepted. Petitioner had participated in a tender process and had been allotted the work order. Having executed the work in question as per terms and conditions of the contract, he is entitled to the requisite payment.

In view of the above, the instant writ petition is allowed. Directions are issued to respondent no.5 to release to the petitioner the payment of Rs.3,21,966/- along with interest @ 6% per annum from the date the bills had been submitted within a period of two months from today.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

23.01.2019

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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No