

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 7795 of 2020 (O&M)

Date of decision : 8.6.2020

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Parmil Kumar

.....Petitioner

vs.

State of Haryana and others

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Vinod S. Bhardwaj, Advocate
for the petitioner.

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

Petitioner Parmil Kumar, a Contractor with Department of Irrigation and Water Resources, Haryana, entrusted with the work of renovation/repair of damaged patches of the lining of off-take channels of Ladawas Disty i.e. Dwarka Minor, Shayam Kalan Minor, Kural Ka Bass Minor, Bardu Chaina Minor and Chehar Kalan Minor, has approached this Court by way of filing the present civil writ petition against respondents State of Haryana through Principal Secretary, Department of Irrigation and Water Resources,

Chandigarh; Engineer-in-Chief, Department of Irrigation and Water Resources, Sinchai Bhawan, Panchkula, Haryana; Chief Engineer, Left Canal Irrigation and Water Resources, Sinchai Bhawan, Panchkula, Haryana; the Superintending Engineering, LWS circle, Bhiwani (Haryana) and XEN Loharu Water Services, Division, Bhiwani (Haryana), craving for issuance of direction in the nature of mandamus directing the respondents to release the undisputed payment and security amount totaling Rs.27,37,195/- (Rs. 19,68,901/- payment + Rs.7,68,294/- Security) alongwith interest @ 18% per annum for the abovesaid completed work of renovation/repair, which has not been released to him since June 2019, even when there is no dispute pertaining to the work which has been completed. He is stated to have submitted a representation dated 12.3.2020 Annexure P-5, addressed to the Chief Engineer/LCU, Irrigation and W.R. Department, Haryana, Panchkula. This representation is not shown to have been decided by the concerned Officer till date.

Keeping in view the facts and circumstances of the case, it would be proper and appropriate, if the matter is dealt with at the departmental level first, to avoid unnecessary litigation.

Therefore, the present petition is disposed of with a direction to the respondents to consider and decide the representation of the petitioner Annexure P-5 within a period of two months from today by passing a speaking order. If some amount is found to be due that be paid within four weeks of the order.

In case the petitioner is not satisfied with the order passed and still nurses any grievance, then he may approach the Court again in accordance with law.

8.6.2020
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(H.S. Madaan)
Judge

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