

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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(PROCEEDINGS THROUGH V.C.)

CIVIL WRIT PETITION NO.9925 OF 2020

DATE OF DECISION: JULY 16, 2020

M/s Parbhat Kumar Contractor

.....Petitioner

VERSUS

Managing Director, Haryana State Roads and Bridges Development
Corporation Ltd., Panchkula and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Arun William, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of learned counsel for the petitioner that the petitioner was allotted a contract for construction of the buildings. The work, which was assigned to the petitioner, has been duly executed but when the petitioner was not being paid the dues, he invoked the provisions of the agreement. In pursuance thereof, as per Clause 24 of the said agreement, a Dispute Redressal System was carved out under which a Standing Empowered Committee had to be constituted by the Managing Director of Haryana State Roads and Bridges Development Corporation Ltd.-respondent No.1. The said aspect has not been complied with, because of which the dispute, which has been raised by the petitioner, is not being adjudicated upon. The petitioner, after waiting for a considerable long time served a notice dated 26.03.2019 (Annexure P-10) upon respondent No.1.

Copy of the same was also forwarded to the Superintending Engineer/Competent Authority, Gurugram Circle, Haryana Public Works Department, B & R Branch, Gurugram-respondent No.2. Despite serving the notice, no response whatsoever has been received from the said respondents, leaving the petitioner with no option but to approach this Court for redressal of its grievance. Counsel further contends that the petitioner at this stage would be satisfied if a direction is issued to respondent Nos.1 and 2 to consider and decide the abovesaid legal notice of the petitioner within some specified time.

Without going into the merits of the case or commenting thereon and keeping in view prayer made by counsel for the petitioner, the present writ petition is disposed of with direction to the Managing Director of Haryana State Roads and Bridges Development Corporation Ltd., Panchkula and the Superintending Engineer/Competent Authority, Gurugram Circle, Haryana Public Works Department, B & R Branch, Gurugram, respondent Nos.1 and 2 respectively, to consider and decide the legal notice dated 26.03.2019 (Annexure P-10) served by the petitioner within a period of one month from the date of receipt of certified copy of the order by passing a speaking order. In case the claim of the petitioner is accepted, the Committee be constituted within a further period of one week. Decision so taken be conveyed to the petitioner forthwith.

July 16, 2020
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

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