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

CWP No. 16595 of 2022

Date of Decision: 01.08.2022

M/s Ding Manpower and Security Services Pvt. Ltd.

-Petitioner

Versus

State of Haryana and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. S.S. Sahu, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

Petitioner has preferred this writ petition for the issuance of an appropriate writ in the nature of mandamus directing the respondent No.4 to consider and decide the representation filed by the petitioner on 15.05.2022 and reminder dated 02.06.2022 in the context of its claim regarding bills amounting to Rs.37,68,125/- which is due for the period from April 2019 to January 2020.

Petitioner was allotted contract of lifting door to door collection with segregation at source of bio-degradable and non-degradable garbage/waste from the Municipal Committee limit under Swach Bharat Mission work of Municipal Committee Bhuna. The contract was for one year commencing from

07.01.2019 to 06.01.2020. The rates quoted by the petitioners were found to be lowest in tender process and thereafter, assignment was given to the petitioner. An agreement was executed on 09.01.2019 and thereafter, petitioner started work of collecting door to door collection with segregation at source of bio-degradable and non-degradable garbage/waste from the Municipal Committee limit under Swach Bharat Mission. No complaint was ever received regarding conduct of the petitioner, but some of the councillors had some reservations. Four councillors intervened at departmental level and the Secretary, Municipal Committee vide order dated 02.07.2019 directed the petitioner to stop the aforesaid work during pendency of complaint before Additional Deputy Commissioner, Fatehabad.

Against the said order, petitioner approached the High Court vide CWP No.22903 of 2019 and the High Court was pleased to stay the order dated 02.07.2019 passed by Secretary on 28.07.2019. During the intervening period, the tenure of the contract came to an end and the petitioner had successfully completed the tenure and the writ petition was rendered infructuous thereafter.

Now, the pending dues of the petitioner have not been adhered to, despite a representation dated 15.05.2022 filed by the petitioner.

Learned counsel for the petitioner submits that at this stage, the petitioner would be satisfied in case its representation and reminder are ordered to be decided by respondent No.3 by passing a speaking order in accordance with law within a stipulated period.

Notice of motion.

On the asking of the Court, Mr. Vivek Chauhan, Addl. A.G., Haryana accepts notice on behalf of the respondents no.1 to 3.

In view of nature of controversy, there is no need to call upon any response from the respondents.

This writ petition is disposed of with a direction to respondent No.3 to consider the pending representation dated 15.05.2022 and reminder dated 02.06.2022 got issued by the petitioner and pass appropriate order in accordance with law, preferably within a period of two months from the date of receipt of certified copy of this order.

01.08.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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