

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

214

CWP-27067-2018
Date of decision: 09.12.2022

BALAJI ASSOCIATES REGD THROUGH ITS
PROPRIETOR SHIV KUMAR

.....Petitioner

VERSUS

THE STATE OF HARYANA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. J.C. Nagpal, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

Ms.Gehna, Advocate for
Mr. Deepak Balyan, Advocate
for respondents No.3 & 4.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus directing the respondent No.1 to 4 to release the due payment of petitioner for taking the services of 60 Sweepers on contract basis for the period September, 2017, October 2017 and November 2017.

Learned counsel appearing on behalf of the petitioner contends that the petitioner firm Balaji Associates (Regd.) through its proprietor Shiv Kumar deals labour security and sanitation, fire safety service etc. In the month of May, 2017 the Municipal Committee, Nuh passed a resolution for

doing the different development work in the city including appointment the 60 employees for sanitation work and watchman for a period of one year. The petitioner firm was approached for providing 60 employees for sanitary work, 02 watchman, 02 fireman and 01 Computer Operator by the respondents No.3 & 4. The petitioner continuously provided the service of above noted employees to the respondents No.3 and 4 till the December, 2017, but respondents No.3 & 4 not release the payment of the petitioner for providing the service of their employees.

It is contended that due to non-payment of salaries of employees they also made a representation to the respondents-authorities from time to time but no action has been taken on that representations.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.4- Secretary of Municipal Committee, Nuh, Haryana is directed to look into the representation dated 01.10.2018 and to pass a reasoned and speaking order thereupon in a time bound manner.

Learned counsel appearing on behalf of respondents No.3 & 4 has no objection in the event such prayer of the petitioner as aforesaid is accepted.

Accordingly, the present petition is disposed of with consent and without commenting on the merits of the claim, with a direction to respondent No.4- Secretary of Municipal Committee, Nuh, Haryana to examine the grievance espoused by the petitioner in the representation dated 01.10.2018 (Annexure P-6) and to pass a reasoned and speaking order thereupon within a period of 03 months of the receipt of certified copy of this order after affording an opportunity of hearing to the respective parties.

Needless to mention that in the event any amount is found payable, the same shall be released forthwith and preferably within a period of 03 months of such a decision being taken by the respondent-authorities.

The petition is accordingly disposed of.

(VINOD S. BHARDWAJ)
JUDGE

DECEMBER 09, 2022
Vishal Sharma

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