

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

127

CWP-21405-2022

Date of decision: 19.09.2022

MAHASHIV PROMOTERS PVT LTD.

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present:- Ms. Vibha Nagar, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana
for respondent No.1.

Mr. Vivek Chauhan, Advocate
for respondents No.2 to 4.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/27 of the Constitution of India for seeking issuance of writ in the nature of Mandamus for directing the respondents to release the undisputed amount in favour of the petitioner for the work executed by them.

Learned counsel appearing on behalf of the petitioner contends that the petitioner-company was allotted the work of improvement and upgradation of road from Mahavir Chowk to Dundahera Border, Gurgaon under the Municipal Corporation, Gurgaon on 16.06.2016. The said work was to be completed within a time limit of 18 months. She contends that the petitioner has satisfactorily executed the work without any complaints and that even though the release of payment is duly recorded in the measurement book, however,

the same has not been disbursed. She contends that she would be satisfied at this stage in case the representations dated 28.04.2022 (Annexure P-5) and 05.07.2022 (Annexure P-6) are directed to be adjudicated upon by the respondent No.3 i.e. the Chief Engineer, Municipal Corporation, Gurugram.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana appears and accepts notice on behalf of respondent No.1-State.

Mr. Vivek Chauhan, Advocate who is also the Addl. Advocate General of Haryana and would be on panel of all Boards and Corporations of State of Haryana is called upon to accept notice. He enters appearance and accepts notice on behalf of respondents No.2 to 4. He has no objection to the prayer being accepted.

Accordingly, the present petition is disposed of without commenting on the merits and sustainability of the claim with a direction to respondent No.3-the Chief Engineer, Municipal Corporation, Gurugram to look into the representations (Annexure P-5 and Annexure P-6 supra) submitted by the petitioner and to pass reasoned speaking order thereupon within a period of 04 months of receipt of certified copy of this order after granting opportunity of hearing to the respective parties.

The petition is accordingly disposed off.

(VINOD S. BHARDWAJ)
JUDGE

SEPTEMBER 19, 2022

Vishal sharma

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