

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

135

CWP-26912-2022

Date of decision: 23.11.2022

M/S NARESH CONTRACTOR AND COMPANY

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present:- Ms. Kriti, Advocate for
Mr. Rajesh Lamba
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.
for respondents No.1 to 4.

Mr. Vivek Chauhan, Addl. A.G. Haryana.
for respondents No.6.

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 respondents No.6 to look into the representation dated 12.09.2022 (Annexure P-4) submitted by the petitioner for making payment of Rs. 25,00,000/- for the material supplied/Development work undertaken by the petitioner.

Learned counsel appearing on behalf of the petitioner contends that on request of Sarpanch Gram Panchayat Neemka and Gram Sachiv, various development/construction work of Chaupal, Bal Bhawan, Barat Ghar, Chaupal were undertaken by the petitioner in

village Neemka. However, the payment of bills qua the work executed by the petitioner amounting to Rs.25,00,000 /- has not been released to the petitioner.

It is further contended that the bills with respect to the aforesaid work have already been sent to the respondents and several representations have been made by the petitioner including the representation (Annexure P-4) to the respondent No.6-Municipal Corporation, Faridabad through its Commissioner.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.6-Municipal Corporation, Faridabad through its Commissioner is directed to look into the representation (Annexure P-4) and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana appears and accepts notice on behalf of respondents No.1 to 4.

Mr. Vivek Chauhan, Addl. A.G. Haryana who is the Additional Advocate General Haryana and would thus be on the panel of all statutory Board and Corporations of the State of Haryana has been requested to accept notice on behalf of the respondents No. 6. He accepts notice on the asking of the Court on behalf of respondents No. 6.

Learned counsel appearing on behalf of respondent No.6 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.6-Municipal Corporation, Faridabad through its Commissioner to examine the grievance espoused by the petitioner in the representation (Annexure P-4) 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

NOVEMBER 23, 2022

Vishal sharma

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