

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

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**CWP-26604-2022 (O&M).
Date of Decision: 21.11.2022.**

M/s Mahir Construction, Sirsa

... Petitioner

Versus

The State of Haryana and others

... Respondents

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

Present: Mr. R.K. Bhatia, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been preferred by the petitioner seeking issuance of an appropriate writ in the nature of Mandamus directing the respondents to make the payment of Bills (Annexures P-1 to P-78) regarding repairs duly submitted with respondents No.3 to 6.

The petitioner claims to be registered Government Contractor having completed various works allotted to him and submitted bills (Annexures P-1 to P-78) in this regard and entries have also been made in the Measurement Book by the JE – respondents No.6 and 7.

Learned counsel for the petitioner contends that the various works allotted to the petitioner stand successfully executed and the bills submitted, however, the payment against the execution of the works has not been released even though entries have also been made in the Measurement Book by the concerned JE. He further contends that in this regard, an

application dated 26.07.2022 has been sent by the petitioner vide Annexure P-79 and that despite a lapse of about 4 months since the date of application neither any decision has been taken thereupon nor has the due and undisputed payment been released by the respondents. He contends that he would be satisfied in case the respondent authorities are directed to look into the legal notice and the grievance espoused by the petitioner therein and a speaking order is passed thereupon in accordance with law and in a time bound manner. Learned counsel appearing on behalf of the petitioner contends that he does not press any charge against the respondents.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana, accepts notice on behalf of respondents and he has no objection to the aforesaid prayer being granted.

Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present petition is disposed of and the respondent No.2 - the Engineer Chief, Public Health Engineering Department, Panchkula, Haryana, is directed to take note of the application notice dated 26.07.2022 (Annexure P-79) sent by the petitioner and to pass a speaking order thereupon in accordance with law and preferably within a period of three months from the date of receipt of certified copy of this order.

Needless to mention that in the event the entitlement of the petitioner being established as per law, the payment due to the petitioner

shall be released expeditiously and preferably within a further period of three months.

Petition stands disposed of accordingly.

November 21, 2022.
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No