

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

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**CWP-26873-2022 (O&M).
Date of Decision: 23.11.2022.**

M/s We Excel Softwares Pvt. Ltd.

... Petitioner

Versus

State of Haryana and another

... Respondents

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

Present: Mr. Abhishek Arora, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been preferred under Articles 226/227 of the Constitution of India, 1950, seeking issuance of a writ in the nature of Mandamus directing the respondents to release the payment of Rs.4,98,71,529/- which includes Rs.15,38,929/- towards installation charges of 131 sites qua the Supply, Installation, Commissioning and Maintenance of Video Conferencing System to support Distance Learning for Effective Capacity Building and Training in the state of Haryana along with interest @18% per annum from the due date till its realization.

Learned counsel for the petitioner contends that the petitioner-Company is aggrieved of the illegal and arbitrary action on the part of the respondents in not releasing the due payment of Rs.4,83,32,600/- to the petitioner-Company despite the completion of the entire work and project of supply, installation, commissioning and maintenance of video conferencing

system to the satisfaction of the respondents. It is further submitted that petitioner-Company has also submitted Invoices for supply, installation, commissioning and maintenance of video conference system at 135 locations and notified by the Department that the installation had been completed at 128 sites. It is contended that the petitioner-company submitted representation dated 09.06.2022 (Annexure P-7), followed by subsequent representation through Email dated 27.07.2022 (Annexure P-13), representation dated 01.09.2022 (Annexure P-15) and representation dated 23.09.2022 (Annexure P-16), however, the payment has not been released.

Learned counsel appearing on behalf of the petitioner-Company submits that, at this juncture, the petitioner-Company would be satisfied in a case a direction is issued to the respondents to decide the representations sent by the petitioners, in a time bound manner.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana, accepts notice on behalf of the respondents and has no objection to the aforesaid prayer of the petitioner-Company 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 Director General, Development & Panchayats Department, Haryana, is directed to take note of the representation dated 09.06.2022 (Annexure P-7), followed by subsequent representation through Email dated 27.07.2022 (Annexure P-13), representation dated 01.09.2022

(Annexure P-15) and representation dated 23.09.2022 (Annexure P-16) sent by the petitioner-Company and to pass a speaking and reasoned order thereupon in accordance with law after affording an opportunity of hearing to the respective parties and preferably within a period of three months from the date of receipt of a 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 23, 2022
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No