

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

134

CWP-26706-2022

Date of decision: 22.11.2022

ASHISH MEHRA

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present:- Mr. Ivneet Singh Pabla, Advocate
for the petitioner.

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

Mr. Vivek Chauhan, Addl. A.G. Haryana.
for respondents No.2 to 5.

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 to release the due payment of Rs.4,04,123 qua the works executed by the petitioner and a further prayer to release the amount of Rs. 38,623/- alongwith interest @ 24% per annum on account of delay on part of respondents.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted work for 'Laying Underground Pipeline of water course at outlet RD-98255-R, Jakholi Minor and the assigned work was duly completed by the petitioner. However, the payment of bills qua the work executed by the petitioner amounting to

Rs.4,04,123 /- 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 submitted on 09.11.2022 (Annexure P-7) to the respondent No.2-Administrator, M.I.C.A.D (Micro Irrigation Command Area Development Authority, Sector-5, Panchkula.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.2-Administrator, M.I.C.A.D (Micro Irrigation Command Area Development Authority, Sector-5, Panchkula is directed to look into the representation dated 09.11.2022 (Annexure P-7) 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.

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.2 to 5. He accepts notice on the asking of the Court on behalf of respondents No.2 to 5.

Learned counsel appearing on behalf of respondent No.2 to 5 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.2-Administrator, M.I.C.A.D (Micro Irrigation Command Area Development Authority, Sector-5, Panchkula to examine the grievance espoused by the petitioner in the representation dated 09.11.2022 (Annexure P-7) 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 22, 2022

Vishal sharma

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