

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

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CWP-27744-2022

Date of decision:05.12.2022

ASHOK KUMAR GARG

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present:- Ms. Veena Hooda, Advocate
for the petitioner.

Mr. Vivek Saini, Advocate
for respondents.

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 security amount as well as 10th, 11th and Final Bill amount for the work/contract executed by the petitioner alongwith interest of 18% per annum.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted work of construction of Community Health Center at Village Gopi with residential accommodation in Charkhi Dadri, Haryana vide agreement No.27 of 2019-2020. The petitioner completed the said allotted construction work within a prescribed time. However, security amount as well as 10th, 11th and Final Bill amount have not been released to the petitioner.

It is further contended that the bills with respect to the construction of Community Health Center at Village Gopi with residential accommodation in Charkhi Dadri, have already been sent to the respondents and several representations have been made by the petitioner including the Legal Notice dated 10.11.2022 (Annexure P-5) to the respondent No.3-Executive Engineer, Public Works Department (Building and Roads), Charkhi Dadri, Haryana.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.3-Executive Engineer, Public Works Department (Building and Roads), Charkhi Dadri, Haryana is directed to look into the Legal Notice dated 10.11.2022 (Annexure P-5) and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Mr. Vivek Saini, AAG, Haryana appears and accepts notice on behalf of respondents and 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.3-Executive Engineer, Public Works Department (Building and Roads), Charkhi Dadri, Haryana to examine the grievance espoused by the petitioner in the Legal Notice dated 10.11.2022 (Annexure P-5) 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

DECEMBER 05, 2022

Vishal sharma

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