

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

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**CWP-28651-2022 (O&M).
Date of Decision: 13.12.2022.**

**The Shiv Ganga Cooperative Labour and Construction Society,
Kalayat**

.. Petitioner

Versus

State of Haryana and others

... Respondents

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

Present: Mr. Yashdeep Nain, 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 release the due payment of Rs.23,82,606/- qua the Excavation work of Dobi Pond situated in Khasra No.483, executed by the petitioner.

The petitioner claims to be a registered Society having been assigned the aforesaid work vide Work Order dated 08.07.2020 (Annexure P-2).

Learned counsel for the petitioner contends that the Excavation work of Dobi Pond situated in Khasra No.483, stand successfully executed, however, the payment against the execution of the aforesaid works has not

been released yet, even though the final bills submitted by the petitioner already stands approved by the competent authority. He further contends that in this regard, various representations had been sent by the petitioner and that despite a lapse of more than six months since the date of the first representation dated 13.06.2021 (Annexure P-10) followed by representation dated 03.10.2022 (Annexure P-11) 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 representations 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.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana, accepts notice on behalf of respondents No.1 and 2 – State and Mr. Vivek Saini, Addl. A.G. Haryana, who by virtue of his assignment is also on the panel of all the statutory corporations and bodies of the Government of Haryana, is directed to and accepts notice on behalf of respondent Nos.3 and 4, and they have 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.3 - the District Municipal Commissioner, Kaithal, Haryana, is directed to take note of the representation dated 13.06.2021 (Annexure P-10) followed by representation dated 03.10.2022 (Annexure P-11) 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.

December 13, 2022
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(VINOD S. BHARDWAJ)
JUDGE

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