

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

232

**CWP-35866-2019 (O &M)
Date of decision: 12.09.2022**

VIPIN JANGRA

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHER

.....Respondents

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

Present:- Mr. Govind Chauhan, Advocate
for the petitioner.

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

Mr. Deepak Balyan, Advocate
for respondents No.2 & 3.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition raises a grievance of non-payment by the respondent Municipal Corporation, Rohtak for the architectural work done by the petitioner for construction of Press Club and Library Hall near Bal Bhawan, Ward No.13, Rohtak against the total estimate (Annexure P-10).

2. Learned counsel appearing on behalf of the petitioner contends that the petitioner is an architect designer and provided architecture consultancy for the Government and private works under the name and style of "Aakaar Associates". He submits that the Municipal Corporation, Rohtak had invited architecture design through advertisement for architectural work of 04 storey multipurpose building on Sonapat Road, Rohtak for construction of Press Club or Library Hall

near Bal Bhawan, Ward No.13, Rohtak. The work order dated 20.01.2017 and 27.01.2017 was issued in favour of the petitioner. He contends that the petitioner had agreed to consultancy @ 1.15% of the total cost after negotiating the initially quoted rates. It is further contended that the entire work has already been concluded and that despite the same, the payment due to the petitioner is not being released. He vehemently contends that numerous representations have been sent to the respondents, however, the same have been met with no response. Reliance is placed on the representation (Annexure P-9) lastly submitted on 07.03.2018.

3. Learned counsel appearing on behalf of the petitioner contends that he would be satisfied in case the respondents are directed to look into the said representation and pass a speaking order on such representation relating to the claim of the petitioner and the consequent disbursement of the amount due, if any.

4. The aforesaid prayer is not objected to by the counsel representing respondents No.3 and 4. Accordingly, the present petition is disposed of with a direction that the respondent No.2 i.e. the Municipal Corporation, Rohtak through its Commissioner shall take a decision on the representation (Annexure P-9) submitted by the petitioner and shall pass a speaking order thereupon after affording an opportunity of hearing to the petitioner within a period of 04 months of receipt of certified copy of this order. It is made clear that in the event any amount is found due and payable to the petitioner upon consideration of such representation, the same shall be released in favour of the petitioner within a period of 02 months thereafter.

5. The petition is accordingly disposed of.
6. All the pending miscellaneous applications, if any, are also disposed of.

(VINOD S. BHARDWAJ)
JUDGE

SEPTEMBER 12, 2022

Vishal sharma

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