

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

113

CWP-1239-2023

Date of Decision:23.01.2023

Parveen Kumar Gupta

.....Petitioner

Versus

State of Haryana and others

.....Respondents

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

Present: Mr. Nikhil Handu, Advocate,
for the petitioner.

Mr. Vivek Saini, Addl. A.G., Haryana.

VINOD S. BHARDWAJ , J.(Oral)

Prayer in the instant civil writ petition filed under Articles 226/227 of the Constitution of India, 1950 is for issuance of a writ in the nature of mandamus directing the respondent No.4 to release the due amount qua the work executed by the petitioner.

Briefly, the facts of the present petition are that the petitioner has been granted work for the construction of Guard Room, Boundary Wall and Parking for Newly Constructing Revenue in District Panipat. The petitioner had commenced the work on 21.02.2018 and successfully completed to the entire satisfaction of the respondent-Department on 12.12.2018. The running bills were paid to him by the respondent but the final bill was not prepared till date. Thereafter, the petitioner had served a legal notice dated 21.05.2022 (Annexure P-4) to respondent No.4, but no

action has been taken thereupon.

Learned counsel appearing on behalf of the petitioner contends that at this stage he would be satisfied, in case, the legal notice dated 21.05.2022 (Annexure P-4) is directed to be decided by respondent No.4 by passing a speaking order in accordance with law.

Notice of motion.

Mr. Vivek Saini, Addl. A.G., Haryana, who is present in the Court accepts notice on behalf of respondent Nos.1 to 4.

Accordingly, with the consent of the parties, the present civil writ petition is disposed of with a direction to respondent No.4-Executive Engineer, Provincial Division, PWD B&R Branch, District Panipat to take note of the legal notice dated 21.05.2022 (Annexure P-4) served by the petitioner and to pass a speaking and reasoned order in accordance with law, preferably within a period of three months from the date of receipt of a certified copy of this order after granting an opportunity of hearing to the respective parties.

If the entitlement of the petitioner is established upon consideration of the claim and verification of the record, then the payment be released to him within a further period of three months thereafter.

Petition is disposed of.

January 23, 2023
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No