

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

116

**CWP-3345-2023
Date of decision: 17.02.2023**

SATISH BANSAL

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present:- Mr. Varun Singh Dhanda, Advocate
for the petitioner.

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

Mr. Vivek Saini, Advocate
for respondents No.2 to 6.

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 official respondents to release the due amount qua the works executed by the petitioner.

Briefly, the facts of the present petition are that the petitioner had entered into an agreement dated 11.10.2021 (Annexure P-10) with the Executive Engineer-1, Municipal Corporation, Gurugram for O & M including cleaning and repair of Storm Water Brick/RCC Box Type Drain Ward No.24, MC, Gurugram. The petitioner successfully completed the work in question and the completion report and certificate was duly signed and verified by the official respondents. The petitioner submitted the bills but due payment has not been released in his favour. He has submitted a representation dated 10.10.2022

(Annexure P-19) in the office of respondent No.2 for releasing the payment, 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 representation dated 10.10.2022 (Annexure P-19) is directed to be decided by respondent No.2 by passing a speaking order in accordance with law.

Notice of motion.

Mr. Panakaj Mulwani, DAG, Haryana appears and accepts notice on behalf of respondent No.1 whereas Mr. Vivek Saini, Advocate accepts notice on behalf of respondents No.2 to 6. They have no objection to the above prayer being allowed.

Accordingly, with the consent of the parties, the present civil writ petition is disposed of with a direction to respondent No.2-The Commissioner, Municipal Corporation, Gurugram to take note of the dated 10.10.2022 (Annexure P-19) submitted 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

(VINOD S. BHARDWAJ)

JUDGE

FEBRUARY 17, 2023

Vishal Sharma

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No