

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

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**CWP-3088-2023
Date of decision: 15.02.2023**

GURU NANAK ENGINEERING WORKS

.....Petitioner

VERSUS

HARYANA STATE INDUSTRIAL AND INFRASTRUCTURE
DEVELOPMENT CORPORATION AND ORS

.....Respondents

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

Present:- Mr. Chirag Girdhar, Advocate
for the petitioner.

Mr. Vivek Saini, Advocate
for the respondents.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India, 1950 for the issuance of a writ in the nature of mandamus directing the respondents to release the due payment of Rs. 13,17,698/- including security qua the works executed by the petitioner alongwith interest @ 18% per annum.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was allotted work of Providing and Laying of storm water disposal Line DI (K-7) pipes, construction of one RCC collection tank-cum-pump Chamber, supply and installation of transformer, DG set and other contingent works thereto with trial run of 03 months and operation &

maintenance and defect liability period of 12 months thereafter complete in all respects at industrial Estate, Ambala Cantt, under SIID Scheme, vide No.HSIIDC: IGC: SAHA: 2019: 252 dated 04.06.2019 and the same has been successfully completed by the petitioner but the balance payment, security etc. has not been released to the petitioner.

It is contended that the bill with respect to the aforesaid work has already been sent to the respondent-authorities and various representations dated 02.05.2022, 05.09.2022 and 22.11.2022 respectively has been made by the petitioner to the respondent No.2-Deputy General Manager (Engg.), Industrial Growth Centre, Haryana, State Industrial and Infrastructure Development Corporation Ltd. Saha, District Ambala for release of his due payment.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.2-Deputy General Manager (Engg.), Industrial Growth Centre, Haryana, State Industrial and Infrastructure Development Corporation Ltd. Saha, District Ambala is directed to look into the representation dated 02.05.2022, 05.09.2022 and 22.11.2022 respectively and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Mr. Vivek Saini, who is the Additional Advocate General Haryana and would thus be on the panel of all statutory Board and Corporations of the State of Haryana has been requested to accept notice on behalf of the respondents.

On the asking of the Court, he 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.2-Deputy General Manager (Engg.), Industrial Growth Centre, Haryana, State Industrial and Infrastructure Development Corporation Ltd. Saha, District Ambala to examine the grievance espoused by the petitioner in the representation dated 02.05.2022, 05.09.2022 and 22.11.2022 respectively 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

FEBRUARY 15, 2023

Vishal Sharma

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