

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCp-561-2022

Date of Decision : April 11, 2023

Sajjan Kumar and others

.....Petitioners

Vs.

Dalbir Dalal and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Partap Singh, Advocate
For the petitioners.

Mr. Pawan Kumar Longia, DAG, Haryana.

ARVIND SINGH SANGWAN, J.

The petitioners allege the violation of the order dated 17.11.2021 passed in CWP No.23226 of 2021 titled as "Sajjan Kumar and others Vs. State of Haryana and others" vide which the direction was issued to the respondents to consider the legal notice as per law, rules and regulations and pass a speaking order and if it is found that some amount is due to the petitioners, the same be released with 6% interest.

Reply dated 13.5.2022, filed on behalf of the Executive Engineer, Public Health Engineer Division No.1, Jind is on record and as per same, speaking order dated 22.3.2022 is passed and recorded that the authenticity of the work could not be assessed, at this stage, and the speaking order was kept in abeyance.

It is further stated that on 2.5.2022, a speaking order was passed in which it is noticed that the complaints are pending against the petitioners regarding preparation of the fake and bogus bills. It is also stated that in compliance of the order of the High Court, a Committee was constituted regarding verification of the execution of work and as per the report, it is found that various maintenance work by the Contractor are against the work order given to them and the bills raised could not be cleared due to non-availability of the letter of credit.

In the affidavit filed by the Executive Engineer, Public Health Engineer Division No.1, Jind it is further stated that another speaking order was passed on 25.1.2022 and some amount was paid. It is also stated that a specific finding is recorded that the petitioner is not entitled to interest.

In view of the above, there is no willful disobedience is made out.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

April 11, 2023
satish

Whether speaking/reasoned : YES / NO
Whether reportable : YES / NO