

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

120

CWP-5192-2023

Date of decision: 15.03.2023

M/S RAI CONSTRUCTIONS

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

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

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the respondents to refund the security amount of Rs. 2,39,404/- qua the work of Providing and Laying 80 mm thick interlocking tiles at various Streets in Village Badshahpur Ward No. 25 executed by the petitioner.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana appears and accepts notice on behalf of respondents No.1 & 2.

Mr. Vivek Saini, Advocate appears and accepts notice on behalf of respondents No. 3 to 6-Municipal Corporation, Gurugram.

Mr. Vivek Saini, Advocate appearing on behalf of Municipal Corporation, Gurugram draws attention of this Court to the Memo No. EE-IV/MCG/2023/345 dated 04.01.2023 wherein the Municipal Corporation, Gurugram has written a letter to the petitioner

that the refund of earnest money granted to the petitioner was inadvertent and that as a matter of fact, the Municipal Corporation, Gurugram is entitled to recover an amount of Rs. 18,60,115/- towards the penalty imposed, the security deposit as also the EMD paid to him.

In view of the aforesaid, counsel for the petitioner seeks withdrawal of the present petition so as to take recourse to the alternative remedy available to him in accordance with law.

Counsel appearing on behalf of the respondent- Municipal Corporation, Gurugram has no objection to the same.

Disposed of as withdrawn with liberty as aforesaid.

(VINOD S. BHARDWAJ)
JUDGE

MARCH 15, 2023

Vishal sharma

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