

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-6026-2023

Date of decision: 23.03.2023

PARGATI INFO PRIVATE LIMITEDPetitioner

VERSUS

STATE OF HARYANA AND OTHERSRespondents

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

Present:- Mr. Brijesh, Advocate
for the petitioner.

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

Mr. Vivek Saini, Advocate
for respondents No.2 to 5.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus directing the respondents to release the payment of the petitioner 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 G.I.S. Survey, Computer entries and for the preparation of the assessment register qua property tax/fire tax vide Letter No. 2187/MCC dated 16.08.2017. The aforesaid work has been completed by the petitioner as per the original terms and the revised terms to

the satisfaction of the Municipal Committee. Thereafter, the petitioner raised a bill vide letter dated 01.09.2018 and the same has been passed by respondents No.2 and 4 but the payment of the work done by the petitioner 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 including Legal Notice dated 09.11.2022 (Annexure P-21) has been sent by the petitioner to the respondent-authorities for release of due payment alongwith interest @ 18% per annum.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.5-District Municipal Commissioner, Kurukshetra, is directed to look into the Legal Notice dated 09.11.2022 (Annexure P-21) and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

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

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 No.2 to 5.

On the asking of the Court, he accepts notice on behalf of respondents No.2 to 5 and has no objection if the prayer is allowed.

Accordingly, the present petition is disposed of with consent and without commenting on the merits of the claim, with a direction to

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respondent No.5-District Municipal Commissioner, Kurukshetra to examine the grievance espoused by the petitioner in the Legal Notice dated 09.11.2022 (Annexure P-21) 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

MARCH 23, 2023

Vishal Sharma

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