

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

107

CWP-10012-2023

Date of Decision:10.05.2023

M/s Shiv Bhagwan Khowala

.....Petitioner

Versus

State of Haryana and others

.....Respondents

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

**Present: Mr. Amandeep Singh, Advocate,
for the petitioner.**

**Mr. Pankaj Mulwani, D.A.G., Haryana,
for respondent No.1.**

**Mr. Vivek Chauhan, Advocate,
for respondent No.2.**

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

Briefly, the facts of the present petition are that the petitioner is a Government Contractor. He has executed various works assigned to him by the Departments of Government of Haryana including Haryana Shehri Vikas Pradhikaran (HSVP) and South Delhi Municipal Corporation from time to time. He has successfully completed the said works to the entire satisfaction of the concerned authorities within the stipulated period, but the balance payment has not been released till date. The petitioner requested the respondents on a number of occasions to consider and release the due payment but in spite of various representations, the respondents failed to

release the amount due till date. Thereafter, the petitioner had submitted a representation dated 01.05.2023 (Annexure P-4) to respondent No.2, 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, representation dated 01.05.2023 (Annexure P-4) is directed to be decided by respondent No.2 by passing a speaking order in accordance with law.

Notice of motion.

Mr. Pankaj Mulwani, D.A.G., Haryana, who is present in the Court accepts notice on behalf of respondent No.1.

Mr. Vivek Chauhan, Advocate, accepts notice on behalf of respondent No.2.

Accordingly, with the consent of the parties, the present civil writ petition is disposed of with a direction to respondent No.2-The Executive Engineer, Haryana Shehri Vikas Pradhikaran, Division No.3, Sector-12, Faridabad, to take note of the representation dated 01.05.2023 (Annexure P-4) 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 accordingly.

May 10, 2023
seema

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No