

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

113

CWP-10166-2023  
Date of decision: 11.05.2023

M/S SHREEJI CONTRACTORS AND ENGINEERS THROUGH PARTNER  
NEERAJ CHAUHAN

.....Petitioner

VERSUS

STATE OF HARYANA AND ANOTHER .....Respondents

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

\*\*\*\*\*

Present:- Mr. Amandeep Singh, Advocate for  
Mr. Deepkaran Dalal, Advocate  
for the petitioner.

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

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

\*\*\*\*\*

**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 due payment of Rs.27,27,270/-.

Learned counsel appearing on behalf of the petitioner contends  
that the petitioner was allotted various work i.e. Construction of RMC road  
M-40 and laying down grass paver in Sector-20A, Faridabad vide Memo No.

3070 dated 02.09.2021 for an amount of Rs. 16,75,000/-. This included providing and laying, GSB Cement concrete M-10 Kerb and stone, chequered tiles, polishing, priming coat, SFRC manhole cover, Grass grid tiles, steel work, cement concrete work and brick work etc. The petitioner started the aforesaid works in accordance with terms and conditions of the tender. Later on, the scope of work was enhanced to Rs. 81,66,893/- by the respondent No.2 vide its letter dated 15.11.2021. However, petitioner raised the first running bill of Rs. 16,54,200/- which was approved and the payment was released by the respondent No.2. Thereafter, on 31.12.2021, the petitioner raised second bill of Rs. 27,27,270/- and the same was cleared by the Sub-Divisional Engineer, HSVP, Faridabad vide Memo No. 2083 dated 31.12.2021 but in spite of having cleared the bill, payment has not been released to the petitioner by respondent No.2.

It is contended that various representations including representation dated 22.04.2023 (Annexure P-3) has been sent by the petitioner to the respondent-authorities for release of due payment of Rs. 27,27,270/- but till now no action has been taken by the respondent-authorities.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.2-The Executive Engineer, Haryana Shehri Vikas Pradhikaran, Division No.3, Sector-12, Faridabad, Haryana is directed to look into the representation dated 22.04.2023 (Annexure P-3) 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 Chauhan, Advocate appears and accepts notice on behalf of respondent No.2 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 the respondent No.2-The Executive Engineer, Haryana Shehri Vikas Pradhikaran, Division No.3, Sector-12, Fairdabad, Haryana to examine the grievance espoused by the petitioner in the representation dated 22.04.2023 (Annexure P-3) 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**

**MAY 11, 2023**  
*Vishal Sharma*

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