

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

283

CWP-13560-2023

Date of decision: 18.08.2023

M/S DAKSHA CONSTRUCTION

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present:- Mr. Jagdeep Singh, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana
for respondents No.1 and 2.

Mr. Vivek Saini, Advocate
for respondents No. 3 and 4.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition was for seeking issuance of directions to the official respondents to release the pending payments as well as security to the tune of Rs. 1,04,35,103/- qua the works executed by the petitioner.

Learned counsel appearing on behalf of Municipal Corporation, Faridabad, on instructions from Sh. Ombir Singh, Superintending Engineer, Municipal Corporation, Faridabad (who is present in Court) informs that the amount claimed by the petitioner alongwith security was Rs. 1,04,35,103/- and as against the same, a gross payment of Rs. 89,63,246/- had already been released and/or is in the process of release and that the balance amount has been deducted on account of GST/Income Tax and Sales Tax which has to be remitted

to the concerned authorities as per the applicable statute.

The aforesaid statement made by the counsel for respondent-Municipal Corporation, Faridabad on instructions from Sh. Ombir Singh, Superintending Engineer, is however disputed by the counsel for the petitioner who submits that as against Rs. 89,63,246/- claimed to be released in favour of the petitioner, only an amount of Rs. 58 lacs approximately has been released. The respondent has given a status report as regards the payment released in favour of the petitioner. A copy thereof has been supplied to the counsel appearing on behalf of the petitioner.

As per the abovesaid status report, the amounts as claimed stands released. Nonetheless, the requisite forms qua deposit of the GST, Income Tax, Sales Tax etc. shall also be forwarded to the petitioner within a period of 04 weeks.

The present petition is accordingly disposed of as having been rendered infructuous. Liberty is, however, granted to the petitioner to seek revival of the present petition in case the claim made in the abovesaid status is found to be incorrect.

(VINOD S. BHARDWAJ)
JUDGE

AUGUST 18, 2023

Vishal sharma

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