

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

123-I

**Civil Writ Petition No.17537 of 2023 (O & M)
Date of decision :-29.11.2023**

M/s Garg & Company through its Proprietor Shashank Garg

.....Petitioner

Versus

State of Haryana and another

.....Respondents

**CORAM:- HON'BLE MS. JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Alok Mittal, Advocate
for the petitioner.

RITU BAHRI ACJ. (Oral)

Prayer in this writ petition is for issuance of a writ in the nature of certiorari to quash the impugned letter/order dated 22.06.2023 (Annexure P-3) whereby the request of the petitioner for releasing of retention money against the bank guarantee has been rejected.

Learned counsel for the petitioner refers to the decision dated 16.03.2023 (Annexure P-4) passed by the Single Bench of this Court in CWP No.22685 of 2021, case titled 'M/s Garg and Co. vs. State of Haryana and others' and submits that in that petition, the petitioner sought quashing of the order dated 02.11.2021, whereby his request for releasing the retention money against the bank guarantee was declined and the Single Bench, vide aforesaid decision dated 16.3.2023 (Annexure P-4) allowed the petition and direction was given to the respondents to pass a fresh order. Pursuant to the said

decision dated 16.3.2023, the respondents passed the order regarding releasing of retention amount against the bank guarantee and conveyed a correspondence dated 24.4.2023 (Annexure P-5) to this effect to the petitioner.

Notice of motion.

On asking of the Court, Mr. Deepak Balyan, Addl. A.G., Haryana accepts notice on behalf of respondents-State and submits that the decision dated 16.3.2023 (Annexure P-4) has already been complied with.

Keeping in view that the decision dated 16.3.2023 (Annexure P-4) has already been complied with, the impugned letter/order dated 22.6.2023 (Annexure P-3), whereby similar request of the petitioner for releasing the retention amount has been declined, is hereby set aside and direction is being given to the respondents to pass a fresh order keeping in view the reasons given in the order dated 16.3.2023 (Annexure P-4) and the order/letter dated 24.04.2023 (Annexure P-5), within a period of four weeks from today.

The writ petition stands disposed of.

(RITU BAHRI)
ACTING CHIEF JUSTICE

November 29, 2023
Vijay Asija

(NIDHI GUPTA)
JUDGE

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