

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

**112**

**CWP-19905-2023  
Date of Decision: 10.10.2023**

**DEEPAK KUMAR**

... Petitioner

**VERSUS**

**STATE OF HARYANA AND OTHERS**

... Respondents

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

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Present: Mr. Sanjiv Gupta, Advocate  
for the petitioner.

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**VINOD S. BHARDWAJ, J. (ORAL)**

Prayer in the present petition is for issuance of directions to the respondents to release the payments of more than Rs.56 lacs outstanding qua the works executed/completed by the petitioner as Contractor alongwith interest and costs.

Learned counsel for the petitioner contends that the petitioner is a Government Contractor and has been working individually. The petitioner had executed various works assigned to it from time to time and the details of such works have been given in paragraph No.4 of the petition. The works were allotted to the petitioner by Haryana Shehri Vikas Pradhikaran (erstwhile known as Haryana Urban Development Authority). The works were completed to the satisfaction of the respondents and the inspection/physical verification of the said works has also been done by the respondents. However, the payment qua the said works has not been released till date and the same has withheld on the ground that there is one society namely M/s Jai Durga Cooperative L&C

Society Limited which is owned by the father of the petitioner; whereas the petitioner has no concerned with the said Society and has complete the work individually. The petitioner paid several visits and submitted representations including the last one dated 24.04.2023 (Annexure P-4); but no action has been taken thereupon till date.

Notice of motion.

Ms. Safia Gupta, AAG, Haryana accepts notice on behalf respondent No.1 and prays for some time to complete instructions and file response, if necessary.

Mr. Vivek Chauhan, Advocate accepts notice on behalf of the remaining respondents and also prays for some time to complete instructions and file response, if necessary.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.3 –Executive Engineer, Haryana Shehri Vikas Pradhikaran, Division No.2, Panchkula is directed to consider and decide the representation dated 24.04.2023 (Annexure P-4) in a time bound manner.

Both the learned counsel for respective respondents do not oppose the prayer made by the learned counsel for the petitioner.

Accordingly, in view of the above and with the consent of the parties and without commenting anything on the merits of the case, the present petition is disposed of while directing respondent No.3 to consider and decide the representation dated 24.04.2023 (Annexure P-4) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties

within a period of three months from the date of receipt of certified copy of this order.

Needless to mention that upon considering the said representation, if any amount is found due and payable to the petitioner, the same shall be disbursed in favour of the petitioner within a further period of three months.

OCTOBER 10, 2023  
*rajender*

(VINOD S. BHARDWAJ)  
JUDGE

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