

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

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**CWP-22582-2023
Date of Decision: 07.10.2023**

JATIN

..... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.... Respondents

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

Present: Mr. Raj Kumar Bhatia, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been instituted under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Mandamus directing the respondents to make the due payment of bills detailed in Para No.5 (Annexures P-1 to P-12) qua the works executed by the petitioner.

Learned counsel for the petitioner contends that the petitioner is registered Contractor of the respondents and time to time providing his services including emergency services for smooth supply of water in the Sirsa District. The petitioner successfully completed the works and bills were also submitted with the respondent-department which are mentioned in Para No.5 of the writ petition. All entries have been done in Measurement Book by the respondent No.6-Junior Engineer. The works had also been inspected and verified by the respondents No.3 to 6. However, the due amount has not

been released to the petitioner. The petitioner approached the respondents for a number of times, but nothing fruitful could be fetched. Thereafter, the petitioner submitted numerous representations including latest representation dated 15.03.2023 upon respondent-authorities but the respondents neither responded to the same nor did they make the payment of outstanding amount to the petitioner.

Notice of motion restricted to respondents No.1 to 5 only.

Mr. Pankaj Mulwani, DAG, Haryana appears and accepts notice on behalf of respondents No.1 to 5.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.4-the Executive Engineer, Public Health Department, Division No.2, District Sirsa is directed to consider and decide the representation dated 15.03.2023 (Annexure P-13) in a time bound manner.

Learned counsel for the respondents No.1 to 5 does not oppose the prayer made by learned counsel for the petitioner.

Accordingly, in view of the above, 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.4-the Executive Engineer, Public Health Department, Division No.2, District Sirsa to consider and decide the representation dated 15.03.2023 (Annexure P-13) 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 his favour within a further period of three months.

Petition stands disposed of accordingly.

OCTOBER 07, 2023
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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