

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

107

CWP-25457-2023
Date of Decision: 13.12.2023

JASPAL SINGH

..... Petitioner

VERSUS

UHBVNL AND OTHERS

.... Respondents

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

Present: Mr. Sushil Jain, Advocate
for the petitioner.

Mr. Vivek Saini, Advocate
for the respondent-UHBVNL.

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 release the outstanding amount of Rs. 30,98,203/- for providing services of Jeeps/Cars alongwith Driver to the respondents, alongwith interest @ 18% per annum.

Learned counsel for the petitioner contends that respondent No.4 i.e. Executive Engineer, U.H.B.V.N had invited tender for the purpose of hiring a Jeeps/Cars with hardtop alongwith the Driver for SDO City, Bolero Jeep for SDO(s) and Mahindra/Tata/Force etc. for the use of SDO (OP) S/Urban, UHBVNL, Karnal. The aforesaid tender was allotted to the petitioner being eligible and fulfilling all the terms and conditions of the

respondent-authorities. The petitioner was allotted work order dated 30.05.2017, 31.08.2017, 09.07.2019 and 28.08.2019 by the respondents-authorities. The petitioner has provided his services for the period i.e. from the year 2019 to 2021 but an outstanding amount of Rs. 30,98,203/- 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 but of no avail. Lastly, the petitioner served a Legal Notice dated 02.08.2023 (Annexure P-4) 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.

Mr. Vivek Saini, who is the Additional Advocate General Haryana and would thus be on the panel of all statutory Board and Corporations of the State of Haryana has been requested to accept notice on behalf of the respondent-UHBVNL.

On the asking of the Court, he accepts notice on behalf of the respondent-UHBVNL.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.4-the Executive Engineer (Operation), Sub-Urban, Division No.2, UHBVNL is directed to consider and decide the Legal Notice dated 02.08.2023 (Annexure P-4) in a time bound manner.

Learned counsel for the respondents 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 (Operation), Sub-Urban, Division No.2, UHBVNL to consider and decide the Legal Notice dated 02.08.2023 (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 Legal Notice, 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.

DECEMBER 13, 2023
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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