

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

109

**CWP-28001-2023 (O&M).
Date of Decision: 14.12.2023.**

M/S SANDEEP KUMAR CONTRACTOR

.. Petitioner

Versus

THE STATE OF HARYANA AND OTHERS

... Respondents

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

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

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been preferred by the petitioner seeking issuance of an appropriate writ in the nature of Mandamus directing the respondents to take appropriate action upon various representations the latest being dated 12.10.2021 (Annexure P-11) and letter dated 16.04.2023 (Annexure P-12) sent by the petitioner whereby the respondents have been requested to release the balance payment in favour of the petitioner on account of the work done qua construction of a park in Assandh Town allotted vide letter dated 05.07.2019 (Annexure P-2).

Learned counsel for the petitioner contends that the work of construction of a park in Assandh Town was allotted vide letter dated 05.07.2019 (Annexure P-2) and has been successfully executed, however, the payment against the execution of the aforesaid work has not been

released till date, even though the final bills submitted by the petitioner already stand approved by the competent authority. He contends that in this regard various representations have been sent by the petitioner, the latest being the letter dated 16.04.2023 (Annexure P-12), however, neither any decision has been taken thereupon nor has the due and undisputed payment been released by the respondents. He further contends that he would be satisfied in case the respondent-authorities are directed to look into the letter dated 16.04.2023 (Annexure P-12) and the grievance espoused by the petitioner therein and a speaking order is passed thereupon in accordance with law and in a time bound manner.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana, accepts notice on behalf of respondents No.1 and 4 whereas Mr. Vivek Saini, Addl. A.G., Haryana, who by virtue of his assignment is also on the panel of all the statutory corporations and bodies of the Government of Haryana, is directed to and accepts notice on behalf of respondents No.2 and 3 and they have no objection to the aforesaid prayer being granted.

Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present petition is disposed of and the respondent No.3 - the Secretary, Municipal Committee, Assandh, District Karnal, is directed to take note of the letter dated 16.04.2023 (Annexure P-12) sent by the petitioner and to pass a reasoned and speaking order thereupon in accordance with law and preferably within a period of three months from the date of receipt of certified copy of this order.

Needless to mention that in the event the entitlement of the petitioner being established as per law, the payment due to the petitioner shall be released expeditiously and preferably within a further period of three months.

Petition stands disposed of accordingly.

December 14, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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