

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

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CWP-28814-2023

Date of decision: 20.12.2023

MS SANDEEP KUMAR CONTRACTOR

.....Petitioner

VERSUS

HSI IDC AND ANOTHER

.....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 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 balance payment qua the works executed by the petitioner.

Learned counsel for the petitioner contends that the petitioner is a proprietorship firm engaged in the various construction works for the last several years. The respondent No.1 flouted a tender for construction of Primary Processing Centre (Mega Food Park) HSI IDC at Industrial Estate, Sector-37, Karnal. The petitioner submitted its bid which was accepted by respondent No.1 vide letter dated 31.05.2019. The petitioner started the work at site in adherence to the terms and conditions of the contract and vide

letter dated 22.10.2021, the petitioner informed the respondents that the work at site has been completed and the site was handed over to the respondents. After handing over the site, the petitioner vide letter dated 26.10.2021 requested the respondent-authorities to clear its pending bills of work but no action was taken by the respondents. The petitioner approached the respondents for a number of times, but nothing fruitful could be fetched. Thereafter, the petitioner submitted various representations including latest representations dated 07.01.2022 and 16.04.2023 (Annexures P-11 and P-12) to the respondents but neither due amount has been released by the respondent- authorities nor any response has been received by the petitioner till date.

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 respondents-HSIIC-Karnal.

On the asking of the Court, he accepts notice on behalf of respondents--HSIIC-Karnal.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.2-Senior Manager, HSIIDC, Karnal is directed to consider and decide the representations dated 07.01.2022 and 16.04.2023 (Annexures P-11 and P-12) 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.2-Senior Manager, HSIIDC, Karnal to consider and decide the representations dated 07.01.2022 and 16.04.2023 (Annexures P-11 and P-12) 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.

(VINOD S. BHARDWAJ)
JUDGE

DECEMBER 20, 2023

Vishal Sharma

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