

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-28786-2023

Date of decision : 20.12.2023

M/s Garg and Company

.....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON'BLE MS. JUSTICE NIDHI GUPTA

Present: Mr. Alok Mittal, Advocate,
for the petitioner.

Mr. Deepak Balyan, Addl. Advocate General, Haryana.

RITU BAHRI, ACTING CHIEF JUSTICE (Oral)

Prayer in this petition is for issuance of a writ in the nature of *certiorari* to quash the order dated 23.06.2023 (Annexure P-8), passed by respondent No.3, whereby the request of the petitioner to release the retention money against the bank guarantee has been rejected.

Learned counsel for the petitioner has referred to the order dated 29.11.2023 (Annexure P-9), passed by this Court in CWP-17537-2023 filed by the petitioner seeking the similar relief. In the aforesaid order dated 29.11.2023, it was recorded that after the order dated 16.03.2023 (Annexure P-4) passed by the Single Bench of this Court in CWP-22685-2021, the petitioner's case for release of retention money had been allowed and the order dated 16.03.2023 (Annexure P-4) was implemented, which was conveyed to the petitioner vide correspondence dated 24.04.2023 (Annexure P-5).

Notice of motion.

On the asking of the Court, Mr. Deepak Balyan, learned Additional Advocate General, Haryana, accepts notice on behalf of the respondents – State.

Keeping in view the fact that the decision dated 16.03.2023 (Annexure P-4) has already been complied with, the impugned order dated 23.06.2023 (Annexure P-8) is set aside and a direction is being issued to the respondents to pass a fresh order keeping in view the reasons given in the order dated 16.03.2023 (Annexure P-4) and the letter dated 24.04.2023 (Annexure P-5) within a period of four weeks from today.

The writ petition stands disposed of.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(NIDHI GUPTA)
JUDGE

December 20, 2023
ndj

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