

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-3590-2024
Date of Decision: 19.02.2024

M/S DIGITAL CONTROL SYSTEMS

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: None for petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for directing the respondents No.2 to 4 (Commissioner, MCF and Executive Engineer-III) to release due admitted payment of Rs.5,04,529/- qua the work executed by the petitioner alongwith interest @ 12% per annum.

It has been averred in the petition that the petitioner has executed the allotted work to the satisfaction of the respondent-Authorities, notwithstanding the same, the outstanding amount has not been released till date. A perusal of file further shows that with regard to his grievance, the petitioner has submitted a representation dated 01.12.2023 (Annexure P-5) to the respondents-Authorities, however, no action has been taken thereupon till date.

Even though there is no representation on behalf of the parties today, however, in view of the order which this Court proposes to pass, the issuance of notice to the respondents is dispensed with at this stage.

Apparently, the petitioner has submitted a representation dated 01.12.2023 (Annexure P-5) to the respondents-Authorities for seeking redressal of his grievance, but no action has yet been taken thereupon by the respondents. Accordingly, it would be appropriate and in the fitness of things if respondent No.2-Commissioner, Municipal Corporation, Faridabad is directed to look into the representation dated 01.12.2023 (Annexure P-5) and decide the same within a time bound manner. Moreover, no prejudice would be caused to the either parties, in case the present petition is disposed of in above terms.

Accordingly, in view of the above and without commenting anything on the merits of the case, the present petition is disposed of while directing respondent No.2 to consider and decide the representation dated 01.12.2023 (Annexure P-5) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties within a period of three months of the 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 favour of the petitioner within a further period of three months.

Petition stands disposed of accordingly.

FEBRUARY 19, 2024
Vishal sharma

(VINOD S. BHARDWAJ)
JUDGE

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