

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-8246-2024 (O&M)
Date of decision: 15.04.2024

Shiv Gangay Contractors ...Petitioner
VERSUS

State of Haryana and others ...Respondents

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

Present :- Mr. Amit Khari, Advocate for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been preferred by the petitioner seeking issuance of an appropriate writ especially in the nature of Mandamus directing the respondents to make the due payment of Rs.6,15,951/- along with interest @ 18% per annum on account of work done by the petitioner in village Navada in Municipal limits of Faridabad.

Learned counsel for the petitioner contends that in the month of July-2019, the work of filling the RMC around the pond in Herbal Park as well as around the Herbal Park was allotted to the petitioner and the same stands successfully executed, however, the outstanding payment against the execution of the aforesaid work has not been released yet. He contends that in this regard, a representation dated 28.12.2023 (Annexure P-3) has been sent by the petitioner and that despite a lapse of more than 03 months since the date of the aforesaid representation neither any decision has been taken thereupon nor has the due 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 aforesaid representation 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 the respondents-State and 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 respondent No.2, 4 and 5, and submit that 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 respondent No.2-Commissioner, Municipal Corporation, Faridabad, is directed to take note of the representation dated 28.12.2023 (Annexure P-3) sent by the petitioner and to pass a reasoned and speaking order thereupon in accordance with law 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.

(VINOD S. BHARDWAJ)
JUDGE

15.04.2024

Mangal Singh

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