

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

119

CWP-8859-2024 (O&M).
Date of Decision: 22.04.2024.

SATISH BANSAL

.. Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Mr. A.P.S. Nain, Advocate, for
Mr. Varun Singh Dhanda, 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 release the balance payment of Rs.64,21,798/- qua the work of cleaning/disilting of Sewer lines using Bucket Machine in various locations, Ward No.15 under Zone 1, MCG, Gurugram executed by the petitioner.

The petitioner claims to be Government Contractor having been assigned work of cleaning/disilting of Sewer lines using Bucket Machine in various locations, Ward No.15 under Zone 1, MCG, Gurugram. A copy of the acceptance letter dated 16.06.2023 has been appended with the present petition as Annexure P-1.

Learned counsel for the petitioner contends that the aforesaid works stand successfully executed, however, the payment against the execution of the aforesaid work has not been released yet, even though the final bills submitted by the petitioner already stand approved by the competent authority. He contends that in this regard, the petitioner has submitted various representations including the last one dated 11.10.2023 (Annexure P-13) and that despite lapse of a period of six months since the last representation 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 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.

On the asking of the Court, Mr. Pankaj Mulwani, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondent No.1 whereas Mr. Vivek Saini, Advocate, accepts notice on behalf of respondents No.2 to 7/Municipal Corporation, Gurugram. 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.3 - the Joint Commissioner, Municipal Corporation, Gurugram, is directed to take note of the representation dated 11.10.2023 (Annexure P-13) 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.

April 22, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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