

2024:PHHC:071410



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

212

CWP-11585-2019
Date of Decision: 20.05.2024

YOGESH CHAND SHARMA

... Petitioner

VERSUS

**FINANCIAL COMMISSIONER AND PRINCIPAL
SECRETARY AND OTHERS**

... Respondents

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

Present: Mr. Atul Lakhpal, Sr. Advocate with
Mr. Arvind Pal Singh, Advocate for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for setting aside the order dated 11.01.2019 (Annexure P-5) passed by respondent No.2, Deputy Commissioner-cum-District Programme Coordinator, MGNREGA, Sector-12, Faridabad, whereby the claim of the petitioner for the honourarium for the period from 01.05.2013 to 12.07.2014 has been declined for the reasons that the documents in support of the work done have not been furnished in terms of the instructions issued by MoRD-MGNREGA-Division-Government of India.

Learned counsel for the petitioner contends that the petitioner demitted office in the year 2014 and as per the instructions issued by the Government of India, the location of the office and administrative support has to be provided by the District Rural Development Agency/Block Development Officer and that no separate accommodation is required to be provided for the Ombudsman nor any staff would be separately engaged. He submits that the



respondents had cleared the bills submitted by the petitioner for the period from 19.07.2012 till 13.04.2013 which were submitted in the same manner in which the bills have been submitted by the petitioner for the period from 01.05.2013 till 12.07.2014, however, the bills for the said period have been declined for no ostensible reason. He further contends that in any case, he has no objection to submission of the requisite bills as per the requirement prescribed by the respondent-Authorities, however, the respondents should be directed to supply the complete details and documents as are necessary for him to substantiate his claim as per the columns provided in the so called proforma.

Learned State Counsel submits that even though the State had sent various reminders to the petitioner, however, the petitioner chose not to approach the respondent-Authorities for furnishing the bills in the desired format.

Be that as it may, the respondent-Authorities cannot deny the petitioner to access to the record, since the respondents were custodian of the said record and especially when they want the information/bills to be raised in a prescribed format alongwith the said record.

Accordingly, the present petition is disposed of with the following directions:

- (i) That the respondent-State/Office of the District Rural Development Agency/Block Development Officer shall provide the requisite record to the petitioner within a period of four weeks of the petitioner approaching the said respondents.



- (ii) That the petitioner shall, thereafter, furnish his bills as per the prescribed format alongwith the supporting documents to the respondent-Authorities.
 - (iii) That on submissions of the bills complete with all supporting documents and in the prescribed proforma/format, the respondent-Authorities shall release the admissible dues to the petitioner within a period of four weeks thereafter.
 - (iv) It is further made clear that in the event the respondent-Authorities do not furnish the requisite record/documents for the aid and assistance of the petitioner within the abovementioned stipulated period, the bills submitted by the petitioner shall be cleared without necessitating the submission of requisite bills on the prescribed proforma alongwith supporting documents.
- Petition stands disposed of accordingly.

MAY 20, 2024
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(VINOD S. BHARDWAJ)
JUDGE

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