



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

120

CWP-11032-2024 (O&M)

Date of decision: 13.05.2024

Deepak Kumar

...Petitioner

VERSUS

State of Haryana and others

...Respondents

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

Present :- Mr. Sanjiv Gupta, Advocate for the petitioner.

Mr. Pankaj Mulwani, DAG Haryana
for respondent No.1.

Mr. Vivek Saini, Advocate for respondents No.2 and 3-HSVP.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for quashing of the order dated 03.05.2024 passed by respondent No.3 whereby the claim of the petitioner has been declined without taking into consideration the mandate of law. A further prayer has been made for directing the respondents to release the outstanding payment of Rs.56 lakhs qua the works executed by the petitioner along with interest @ 12% per annum.

2. After arguing at some length, learned counsel for the petitioner submits that espousing his grievance, the petitioner has earlier approached this Court by way of filing CWP-19905-2023 and the same was disposed of with a direction to respondent No.3-Executive Engineer, Haryana Shehri Vikas Pradhikaran, Division No.2, Panchkula, to consider and decide the representation dated 24.04.2023 sent by the petitioner by passing a speaking order after affording an opportunity of hearing to the respective parties



within a period of three months. He contends that the claim of the petitioner has now been rejected by respondent No.3 vide order dated 03.05.2024.

3. Notice of motion.

4. Mr. Pankaj Mulwani, DAG Haryana, accepts notice on behalf of respondent No.1 and Mr. Vivek Saini, Addl. A.G., Haryana, accepts notice on behalf of respondents No.2 and 3 being its empanelled advocate. They both pray for some time to complete instructions and file response, if necessary.

5. Learned counsel for the petitioner, however, contends that he would be satisfied at this stage, in case respondent No.3- Executive Engineer, Haryana Shehri Vikas Pradhikaran, Division No.2, Panchkula, is directed to look into the matter and pass a fresh speaking order in accordance with law and in a time bound manner.

6. Learned Counsel for respondents No.2 and 3 has no objection to the request made by learned counsel for the petitioner.

7. Accordingly, in view of the above; with the consent of the parties and without commenting anything on the merits of the case, the present petition is disposed of while directing respondent No.3-Executive Engineer, Haryana Shehri Vikas Pradhikaran, Division No.2, Panchkula, to consider the case of the petitioner afresh by treating the present writ petition as a representation and the same shall be decided expeditiously preferably within a period of 03 months from the date of receipt of certified copy of this order, after granting an effective opportunity of hearing to the respective parties, in accordance with law.



8. 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.
9. Petition stands disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

13.05.2024
Mangal Singh

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