

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

276

CWP-17174-2023
Date of Decision: 20.02.2024

N.B.Y. CONSTTRUCTION PVT. LTD.

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

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

Present: Ms. Yamini Nain, Advocate
for the petitioner.

Mr. Vivek Chauhan, Addl. A.G., Haryana.

Mr. Pritam Singh, Advocate with
Mr. Vivek Saini, Advocate
for respondents No.2 to 6.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been instituted under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of Mandamus directing the official respondents to release the due payment of Rs.67,67,042/- alongwith interest @ 24% per annum due to the petitioner for the work of construction of Badminton Court in Palam Vihar, Ward No.2, Zone-II, under Municipal Corporation, Gurugram.

Learned counsel for the petitioner submits that notwithstanding the completion of the allotted work to the satisfaction of the respondent-Authorities, the due payment of the petition has been withheld without any reason or rhyme. He further submits that he has visited the office of the respondents for a number of times, but nothing fruitful could be gained. He further submitted that the petitioner submitted numerous representations

including the last one dated 02.08.2023 (Annexure P-28) and at this stage, he would be satisfied in case, the respondent No.2- The Commissioner, Municipal Corporation, Gurugram is directed to consider and decide the representation dated 02.08.2023 (Annexure P-28) in a time bound manner.

Learned counsel for the respective respondents do not oppose the prayer made by the learned counsel for the petitioner.

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.2 to consider and decide the representation dated 02.08.2023 (Annexure P-28) 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 20, 2024
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(VINOD S. BHARDWAJ)
JUDGE

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