



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-29470-2024
Date of Decision: 29.10.2024

RAJBIR

... Petitioner

VERSUS

MUNICIPAL CORPORATION, PANIPAT AND ANOTHER

... Respondents

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

Present: Mr. Inderjit Sharma, Advocate
for the petitioner.

Mr. Vivek Saini, Addl. A.G. Haryana
for respondents No.1 and 2-M.C. Panipat.

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 respondents to release the amount of Rs.14,26,579/- qua work executed by the petitioner alongwith interest.

Learned Counsel appearing on behalf of the petitioner contends that petitioner was allotted the work of construction of RCC Nala Civil Hospital to Insar Bazar, Ward No. 8 and 9, MC Panipat for the period 01.06.2021 to 15.12.2021. The petitioner successfully completed the aforesaid work to the



satisfaction of the respondent Department and even the part payment of the first bill submitted was also released on 21.01.2022. The final bill of Rs. 12,26,857/- was submitted and duly approved by JE, ME, Xen on 23.08.2022 but the aforesaid payment has not been released to the petitioner. The petitioner sent various representation and the respondent-Department has not disclosed any reason for withholding the said amount.

Notice of motion.

Mr. Vivek Saini, Addl. A.G. Haryana accepts notice on behalf of for respondents No.1 and 2-M.C. Panipat and prays for some time to complete instructions and file response, if necessary.

At this juncture, it has been pointed out by the learned Counsel for the petitioner that the Executive Engineer, Municipal Corporation, Panipat has already sent a proforma for payment of work accepting that the work has been completed to their entire satisfaction.

The present writ petition is disposed of with a direction to the respondent No.1-the Commissioner, Municipal Corporation, Panipat to release the admitted liability in favour of the petitioner within a period of three months from the date of receipt of certified copy of this order.

In the event of non-payment of dues within the abovesaid period, the same shall be released along with interest @ 6% per annum from the date of filing of present petition to be paid to the petitioner and further subject to additional payment of costs of Rs.50,000/- to be deposited with the *Poor*



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Patient Welfare Fund (PPWF) of Post Graduate Institute of Medical Education & Research, Chandigarh. The said additional financial liability of accrued interest and costs shall be subject to recovery from the erring official.

OCTOBER 29, 2024
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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