

2024:PHHC:123865



IN THE PUNJAB AND HARYANA HIGH COURT AT  
CHANDIGARH.

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CWP-23922-2024 (O&M).  
Date of Decision: 19.09.2024.

DULI CHAND, CONTRACTOR

... Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

... Respondent(s)

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

Present: Mr. Raj Kumar Bhatia, Advocate,  
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been preferred by the petitioner for seeking issuance of an appropriate writ in the nature of Mandamus directing the respondents to make payment of the work done by the petitioner from June 2020 to November 2020 and also for the work done in the year 2021 as detailed in bills Annexures P-1 to P-107. An alternative prayer has also been made for directing the respondents to decide the representations dated 05.08.2021 (Annexure P-109) as well as dated 08.11.2021 (Annexure P-110).

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2           At the very outset, learned counsel for the petitioner submits that the petitioner would be satisfied in case a direction is issued to the respondent No.4-the Executive Engineer (XEN), Public Health Department, Sirsa, to decide the representations dated 05.08.2021 (Annexure P-109) as well as dated 08.11.2021 (Annexure P-110) sent by the petitioner by passing a speaking and reasoned order in accordance with law and in a time bound manner.

3           Notice of motion.

4           Mr. Vivek Saini, Addl. A.G. Haryana, who is present in Court, accepts notice on behalf of the respondents and submits that he has no objection to the aforesaid prayer being granted.

5           Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present writ petition is disposed of with a direction to the respondent No. 4-the Executive Engineer (XEN), Public Health Department, Sirsa, to consider the representations dated 05.08.2021 (Annexure P-109) as well as dated 08.11.2021 (Annexure P-110) sent by the petitioner and to pass a speaking and reasoned order thereupon in accordance with law within a period of three months from the date of receipt of certified copy of this order after granting an opportunity of hearing to the petitioner.

6           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.

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7            In the event of non-payment of dues within the said period, the same shall be released along with interest @ 6% per annum from the date of filing of the present petition to be paid to the petitioner and further subject to additional payment of a cost of Rs.50,000/- to be deposited with the PGI Poor Patients’ Welfare Fund, Chandigarh. The said additional financial liability on accrued interest and cost shall be subject to recovery from the erring officials.

8            Petition stands disposed of accordingly.

September 19, 2024.  
raj arora

(VINOD S. BHARDWAJ)  
JUDGE

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