



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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**CWP-28145-2024 (O&M)
Date of decision: 19.10.2024**

Sh. Saurabh Contractor

...Petitioner

VERSUS

State of Haryana and others

...Respondents

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

Present :- Mr. Varun Singh Dhanda, Advocate for the petitioner.

Mr. Pankaj Mulwani, DAG Haryana.

Mr. Vivek Saini, Advocate for respondents No.2 to 7.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for directing the respondents to release the payment of Rs.19,80,078/-; security amounts of Rs.1,19,026/- (1st running bill), Rs. 86,684/- (2nd running bill) and Rs.92,375/- (3rd running bill) qua the work of construction/renovation of Ashwar Chaupal, Nathupur, Ward No.35, MCG, executed by the petitioner, alongwith interest @ 18% per annum.

2. After arguing at some length, learned counsel for the petitioner submits that with regard to his grievance, the petitioner has submitted various representations as well as reminders dated 17.05.2023, 23.08.2023, 06.12.2023, 25.04.2024 and 22.08.2024 (Annexures P-14 to P-18) respectively, but the respondents have neither paid the outstanding dues to



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the petitioner nor have they taken any action upon the said representations/reminders.

3. Notice of motion.

4. Mr. Pankaj Mulwani, DAG Haryana accepts notice on behalf of respondent-State and Mr. Vivek Saini, Advocate enters appearance and accepts notice on behalf of respondents No.2 to 7, and they pray for some time to seek instructions and file response(s), if so advised.

5. Learned counsel for the petitioner, however, contends that he would be satisfied at this stage, in case respondent No.3-The Chief Engineer, Municipal Corporation, Gurugram, is directed to consider and decide the representation dated 22.08.2024 (Annexure P-18) of the petitioner, by passing a speaking order in a time bound manner.

6. Learned Counsel for respondents No.2 to 7 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-The Chief Engineer, Municipal Corporation, Gurugram, to consider and decide the representation dated 22.08.2024 (Annexure P-18) 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.

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. In the event of non-payment of dues within the said period, the same shall be released along with interest @ 6% per annum to be paid to the petitioner and subject to additional payment of a cost of Rs.50,000/- to be deposited with the Poor Patient Welfare Fund (PPWF) of Post Graduate Institute of Medical Education & Research, Chandigarh. The said additional financial liability of accrued interest and cost shall be subject to recovery from the erring official.

10. Petition stands disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

19.10.2024
Mangal Singh

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