

2024:PHHC:146207



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH.

117

CWP-30256-2024 (O&M).
Date of Decision: 08.11.2024.

VIPIN KUMAR CONTRACTOR

... Petitioner(s)

Versus

STATE OF HARYANA AND ANOTHER

... Respondent(s)

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

Present: Mr. S.K. Liberhan, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been preferred by the petitioner seeking issuance of an appropriate writ in the nature of Mandamus directing the respondent No.2 to consider the application/representation dated 18.10.2023 (Annexure P-1) sent by the petitioner and to release the balance 10% security amount and earnest money regarding the completed construction works executed by the petitioner.

2 Notice of motion.

3 On the asking of the Court, Mr. Pankaj Mulwani, DAG,
Haryana, who is present in Court, accepts notice on behalf of the

2024:PHHC:146207



respondents. Mr. Vivek Saini, Advocate, also enters appearance and submits that the Municipal Committee, Narwana, has not been impleaded as a party on whose behalf the work was executed.

4 It is evident from a perusal of the pleadings as also the representation submitted by the petitioner that the petitioner had undertaken the contract for and on behalf of the Municipal Committee, Narwana, which, however, has not been impleaded as a party in the present petition nor the representation has been submitted before the said authority.

5 Notwithstanding the above said lapses and with a view to avoid the unnecessary filing of multiple petitions for the same relief, I deem it appropriate to dispose of the present petition by directing the Municipal Committee, Narwana, to consider the present petition as a representation and to pass a reasoned and speaking order thereupon in accordance with law preferably within a period of four months from the date of receipt of certified copy of this order.

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.

November 08, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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