



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

123

CWP-29705-2024
Date of Decision: 05.11.2024

MAA SHEETLA CONCRETE 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
for respondent No.1.

Mr. Vivek Saini, Advocate
for respondents No. 2 to 6-M.C. Gurugram.

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 authorities to release the due amount of Rs. 9,17,240/- alongwith interest @ 12% per annum qua the work executed by the petitioner.

Learned counsel for the petitioner submits that with regard to his grievance, he has submitted various representation including latest representation dated 30.01.2024 (Annexure P-17) to the respondent-authorities but no action has been taken by them till date.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana appears and accepts notice on behalf of respondent No.1.

Mr. Vivek Saini, Advocate appears and accepts notice on behalf of respondents No.2 to 6-M.C. Gurugram.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.3-the Chief Engineer, Municipal Corporation, Gurugram is directed to consider and decide the representation dated 30.01.2024 (Annexure P-17) in a time bound manner.

Learned Counsel appearing on behalf of respondent do not oppose the prayer made by 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.3-the Chief Engineer, Municipal Corporation, Gurugram to consider and decide the representation dated 30.01.2024 (Annexure P-17) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties within a period of three months from the date of 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 his favour within a further period of three months.

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 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.

Petition stands disposed of accordingly.

NOVEMBER 05, 2024
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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