



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 30341 of 2024
Date of decision: 11.11.2024

Sanjay Construction

.... Petitioner

Vs.

State of Haryana and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL

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

ARUN PALLI, J (Oral)

The petitioner (Sanjay Construction) has prayed for the following substantive relief:

***“Civil Writ Petition under Articles 226 & 227 of The Constitution of India for the issuance of Writ, Order or Direction, specially in the nature of Mandamus for directing the respondents, to make/release the payments to the tune of Rs.4,49,480/- deposited in lieu of tender amount along with bank guarantee to the tune of Rs.10,62,234/- total amounting to Rs.15,11,714/- along with interest @ 24% p.a. to the petitioner since the time of deposit till the actual payment is released, on account of keeping the petitioner and his labour idle on the site for the breach of terms of tender allotted to the petitioner.*”**

And/Or

Issue Order, Direction to the respondents for deciding the representation dated 27.03.2024 (Annexure P-4) and representation dated 15.04.2024 (Annexure P-5) filed by the petitioner, by passing speaking order, in a stipulate period.”

Learned counsel for the petitioner, at the outset, submits that

prior to the institution of this petition, the petitioner had even served the



respondent authorities with representations dated 27.03.2024 (P-4) and 15.04.2024 (P-5), but to no avail.

Served with the advance copy of the petition, Mr. Ankur Mittal, learned Additional Advocate General, Haryana with Ms. Kushaldeep Kaur, Advocate, is present in Court. At the outset, he, on instructions, submits, for the competent authority is already in seisin of the matter, it would be expedient, if the petition is disposed of, at this stage, to enable the respondent authorities to consider the claim of the petitioner and pass necessary orders, in accordance with law. Further, he submits that before any such orders are passed, the petitioner through its authorized representative, shall also be heard. And, a formal communication in this regard will be issued, well in advance.

Learned counsel for the petitioner is agreeable to the course suggested by the learned State counsel and submits that let the petition be disposed of in terms of the statement made by him. However, he submits that the matter being time sensitive, the competent authority be directed to consider and finally decide the matter within a specified time.

To this, learned State counsel submits that the necessary orders in this regard shall be passed within six weeks from today.

In the wake of the position sketched out above, and in terms of the statement made by learned counsel for the parties, this petition is accordingly disposed of.

This Court is sanguine that the authority shall consider/examine the matter in the right earnest, and pass appropriate orders, within the time indicated by learned State counsel, assigning reasons in support thereof.

Needless to assert that this order shall not constitute an expression of opinion on the merits of the case of either party, for, as indicated earlier, the competent authority shall examine the grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

11.11.2024
deepak

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