

2024:PHHC:147779



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

112

CWP-30538-2024 (O&M).
Date of Decision: 13.11.2024.

SHAILESH TOMAR

.. Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

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

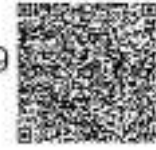
Present: Mr. Paramjeet Singh, Advocate,
for the petitioner.

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 official respondents to consider releasing Rs.1,10,125/- qua the work of Reconstruction of Harijan Chaupal, Village Fazilpur, Ward No.26, Zone-IV, Gurugram, executed by the petitioner along with interest @ 12% per annum.

2 At the very outset, learned counsel for the petitioner submits that, at this juncture, the petitioner would be satisfied in case the respondent-Authorities are directed to look into the representations (Annexures P-7 to P-11) sent during the period 17.05.2023 to 25.09.2024

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and the grievance espoused by the petitioner therein and a speaking order is passed thereupon in accordance with law and in a time bound manner.

3 Notice of motion.

4 On the asking of the Court, Mr. Pankaj Mulwani, DAG, Haryana, who is present in Court, accepts notice on behalf of respondent No.1/State and Mr. Vivek Saini, Advocate, who is appearing through Video Conference, assisted by Mr. Arnav Sood, Advocate, who is present in Court, accepts notice on behalf of respondents No.2 to 7/Municipal Corporation, Gurugram, and they submit that they have 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 petition is disposed of and respondent No.3 - the Chief Engineer, Municipal Corporation, Gurugram, is directed to take note of the representations (Annexure P-7 to P-11) sent by the petitioner on different dates and to pass a reasoned and speaking order thereupon in accordance with law preferably within a period of three 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.

7 In the event of non-payment of dues within the said period, the

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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 of accrued interest and cost shall be subject to recovery from the erring officials.

8 Petition stands disposed of accordingly.

November 13, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

<i>Whether speaking/reasoned</i>	: Yes/No
<i>Whether reportable</i>	: Yes/No