



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

123

CWP-31316-2024

Date of Decision: 28.11.2024

MAA SHEETLA CONCRETE

..... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.... Respondents

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

Present: Ms. Yamini Nain, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana
for respondent No.1.

Mr. Vivek Saini, Advocate
for respondents No. 2 to 6-Municipal Corporation, 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 to release the payment of Rs. 9,20,352/- qua the work executed by the petitioner alongwith interest @ 12% p.a.

Learned counsel for the petitioner submits that the work of “Repairing of replacement water supply line 250 mm dia pipe line K-9, SLUICE VALUES & Repairing of motor Kadipur booster Gandhi Nagar ward No. 22, under MCG” has been assigned to the petitioner and the petitioner successfully completed the aforesaid work but the payment of Rs.

**CWP-31316-2024****-2-**

9,20,352/- for the above said work has not been paid to the petitioner. The petitioner has submitted various representations to the respondent-authorities from time to time but no action has been taken by the respondent-Department on the said representations. Hence, the present writ petition.

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-Municipal Corporation, 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 latest representation dated 17.04.2024 (Annexure P-18) in a time bound manner.

Learned Counsel appearing on behalf of the respondents 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 latest representation dated 17.04.2024 (Annexure P-18) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective



CWP-31316-2024

-3-

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. 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.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 28, 2024
Vishal sharma

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