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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 1578/2024

DELHI JAL BOARD CONTRACTORS WELFARE ASSOCIATION REGD. ..... Petitioner

Through: Mr. Ravi Dutt Sharma, Adv. alongwith Mr. Rajat Sharma, Mr. Chetan Sharma, Ms. Ruchika Sharma and Mr. Rahul Gupta, Advs.

versus

DELHI JAL BOARD & ANR. ..... Respondents

Through: Mr. Alok Gupta, Adv. for R-1/DJB.

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **04.04.2024**

1. Respective counsel for the parties draw attention to an "Instructional Order" issued by the Director (F&A), Delhi Jal Board, Government of NCT of Delhi, which reads as under :-

"No.DJB/Fin/Director (F&A)/GST/2024/F&G/5666-5667 Date: 30.03.2024

INSTRUCTIONAL ORDER

In suppression of "Guidelines for Processing of GST Reimbursement cases" issued vide no.DJB/Fin./Director (F&A)/GST/2023/F&G/3559-3573 dated 23.05.2023, it is hereby ordered that the cases for reimbursement of GST shall henceforth be processed in accordance with the provisions of Office Memorandum of CPWD OM No.SE/TAS/GST/21 dated 30.09.2022, which has already been endorsed in DJB vide No.DJB/Fin./Director (F&A)/GST/2023/F&G/3517-3533 dated 23.05.2023; that is, all divisional offices would process the cases for GST reimbursement under their jurisdiction only on the basis of the Undertaking filed by the Contractors in the format prescribed by CPWD, DDO and AAO concerned would, thereafter, raise the demand of GST reimbursement bill via FMS after ensuring formalities as mentioned in the above referred OM of CPWD. All such bills must have reference of the original work to which they pertain.

Ex-post facto checking regarding amount of reimbursement on account of

GST shall be undertaken on random basis by the Nodal Accounts Officer (GST) (to be assigned separately). If any variation is noticed by the Nodal Accounts Officer (GST), he/she will intimate the same to the concerned DDO/AAO and also the concerned Dy. Director (F&A) for further action in terms of provisions as mentioned in above referred OM of CPWD.

This issues with the approval of the Competent Authority.

<u>ALL DDOs/AAOs</u>

Sd/-
30/3/24
Director (F&A)"

2. Learned counsel for the petitioner submits that in view of the aforesaid "instructional order" dated 30.03.2024, the grievances raised by the petitioner in the present writ petition have been substantially resolved. Therefore, he does not wish to press the present writ petition ; he only seeks that the respondents be directed to process the payment of the petitioner in terms of the aforesaid "instructional order".

3. Learned counsel for the Delhi Jal Board submits that the requisite payment shall be released by the Delhi Jal Board in accordance with the aforesaid "instructional order" and in accordance with law, subject to the usual verification and compliance.

4. In view of the aforesaid, the present writ petition is disposed of with a direction to the Delhi Jal Board to expeditiously disburse the payment to which the petitioner is entitled in terms of the aforesaid "instructional order."

SACHIN DATTA, J

APRIL 4, 2024/r