

2025:PHHC:164152



CWP-10570-2022

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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(103)

CWP-10570-2022

Date of decision:- 27.11.2025

Muskan Jyoti Smiti

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Gursimar Singh Alagh, Advocate, for the petitioner.

Mr. Ravish Kaushik, Additional Advocate General, Haryana
for State-respondent No.1.

Mr. Udit Garg, Advocate, with Mr. Ritvik Garg, Advocate,
for respondent No.2.

...

SUVIR SEHGAL, J. (Oral)

1. By way of present petition, petitioner has approached this Court, *inter alia*, for setting aside orders dated 22.11.2021 and 24.11.2021, Annexures P-7 and P-8, respectively, whereby request for release of payment of Rs.34,64,775/-, upon completion of the contract work, along with interest, has been rejected.

2. Counsel for the petitioner states that petitioner is a social organization registered under the Societies Registration Act, 1860, and was awarded work by order dated 11.04.2017, Annexure P-1, for processing of Bio de-gradeable waste and converting the same into organic manure in Municipal Corporation, Sonapat.

Counsel points out that the contract was for a period of 24 months and upon raising the bills, payments were released by the Municipal Corporation for the



initial few months, but thereafter the bills were not cleared. He asserts that petitioner continued working for the entire contract period. Counsel states that after submitting various representations, petitioner approached this Court and vide order dated 01.02.2021, Annexure P-6, respondents were directed to decide representation dated 17.12.2020, by passing a speaking order. Counsel asserts that impugned orders, Annexures P-7 and P-8, have been passed in compliance with the direction passed by this Court, which are not based on the factual position and respondents have not disbursed the amount due to scarcity of funds.

3. Writ petition has been contested by Commissioner, Municipal Corporation, Sonapat – respondent No.2, by filing a short reply, wherein it has been stated that petitioner worked till October, 2017, and payment due till then has been released to it. It has been averred that a Concession Agreement dated 27.09.2017, was entered into with M/s JBM Environment Management Private Limited and M/s Neel Metal Products Limited for integrated solid waste management facility for Sonapat cluster and petitioner was intimated that its services are no longer required from 01.11.2017. Counsel for respondent No.2 emphasis that petitioner was asked to vacate the work site, which was handed over to the new contractor. He asserts that as petitioner did not compost any waste thereafter, it cannot stake a claim for payment.

4. I have heard counsel for the parties and considered their submissions besides examining the documents brought on the record.

5. Claim for payment raised by the petitioner has been rejected by respondent No.2, on the ground that petitioner has not been able to produce any record to support its claim. By communications dated 08.11.2021, and 10.11.2021, Annexures R-2/8 and R-2/9, respectively petitioner was called for personal hearing



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by the Municipal Corporation, Sonapat and was also asked to produce the record showing the receipts from where material has been purchased, deposit of EPF, ESI in the account of its employees, documents with regard to the sale of manure, etc. However, during personal hearing, petitioner failed to produce any record. In fact, it was found that after 01.11.2017, petitioner had not raised any bill for the work. Noticing lack of supporting record, impugned orders, Annexures P-7 and P-8, were passed by the authorities.

6. During the course of arguments, counsel for the petitioner was asked to refer to any material to support the claim that petitioner had discharged the contractual obligation, but he was unable to refer to any such material. On a specific query regarding any agreement having been executed between the parties pursuant to work order, Annexure P-1, counsel for the petitioner could not produce the agreement. This Court, therefore, is of the view that petitioner does not possess any document to support the claim for payment after 01.11.2017 and claim has been rightly declined by respondent No.2, by virtue of the impugned orders, Annexures P-7 and P-8.

7. This Court, therefore, does not find any merit in the petition, which is dismissed with no order as to cost.

(SUVIR SEHGAL)
JUDGE

27.11.2025
Pardeep

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No