



CWP-9439-2025 (O&M)

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

(113)

CWP-9439-2025 (O&M)
Date of Decision : 17.07.2025

The Jani Co-operative Labour and Construction Society Ltd.

...Petitioner

Versus

The Municipal Corporation and another

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. R.C. Gupta, Advocate and
Mr. Inderjit Sharma, Advocate
for the petitioner.

Mr. Bhupender Singh, Addl. AG, Haryana.

KULDEEP TIWARI, J.(ORAL)

CM-8600-CWP-2025

Application for placing on record copy of letter for approval dated 08.11.2021, is allowed, as prayed for, and the same is taken on record, as Annexure P-17, subject to just exceptions.

Application stands **disposed of** accordingly.

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1. Through the instant writ petition, cast under Articles 226/227 of Constitution of India, a challenge is thrown to the order dated 28.02.2025 (Annexure P-14), as passed by the Commissioner, Municipal Corporation, Panipat (respondent No.2), vide which the partial claim of the petitioner has been denied, on the ground that the work allotted to the petitioner was upto 31.05.2022. Further, prayer is for issuance of a *mandamus*, upon the



respondents, to pay the amount of the work actually executed by the petitioner till 15.08.2022.

2. This is the second round of litigation. Earlier, the petitioner has approached this Court, by filing a CWP-2451-2024, as its demand for payment of a bill has never been acceded and decided by the Municipal Corporation, Panipat. The writ petition (supra), was disposed of by Coordinate Bench of this Court, by drawing an order dated 05.09.2024, with a *mandamus*, upon the respondent No.1, to consider and decide the representation/legal notice dated 20.01.2023 (Annexures P-9 to P-11), by passing a reasoned and speaking order, after affording an opportunity of hearing to the respective parties.

3. In deference to the directions (supra), a speaking order dated 28.02.2025 (Annexure P-14), was passed by the Commissioner, Municipal Corporation, Panipat (respondent No.2), wherein, some of the claim of the petitioner was accepted, and the remaining other claims were rejected.

4. Through the instant writ petition, a challenge is thrown to the speaking order (supra), on the ground, that the decision wherethrough, the claim of the petitioner *qua* some of the bills has been rejected, is against the factual aspects. Learned counsel for the petitioner tried to impress upon this Court, that his contract was duly extended, however, this Court finds that all these issues need proper adjudication, by production of positive evidence, before the apt Court, therefore, under the writ jurisdiction this Court, cannot examine the above said issue, and for this, the petitioner is relegated to the apt authorities concerned, to avail all other alternate remedies.

5. At this stage, learned counsel for the petitioner submits that even no money has been paid to the petitioner, out of the bills, which have been



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admitted. This Court finds the grievance of the petitioner, to this extent, genuine.

6. Notice of motion.

7. Mr. Bhupender Singh, learned Additional Advocate General, Haryana, accepts notice on behalf of the respondents No.1 and 2, and waives service. He submits that he has no objection, in case, a *mandamus*, is passed upon the authorities concerned, to finally release the amount to the petitioner, in a time bound manner.

8. In view of the above, the instant writ petition is **disposed of**, with a *mandamus*, upon the respondents, to release the payment of the bills, which were duly admitted, by passing a speaking order dated 28.02.2025 (Annexure P-14), to the petitioner, within a period of three months, from the date of receipt of certified copy of this order.

9. Ordered accordingly.

(KULDEEP TIWARI)
JUDGE

July 17, 2025
Manpreet

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