



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

**CWP-12172-2025**

Date of Decision : **27.05.2025**

**NAINWAY PRIVATE LIMITED**

.....Petitioner

**VERSUS**

**STATE OF HARYANA AND OTHERS**

.....Respondents

**CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present : Mr. Manvender Chauhan, Advocate,  
for the petitioner.

Mr. Rajesh Gaur, Advocate,  
for respondents no.1 and 2.

Mr. Jagdish Manchanda, Advocate,  
for respondent no.3.

**KULDEEP TIWARI, J.(Oral)**

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of a *mandamus* upon respondent no.3 to release the payment of running bill of the petitioner alongwith interest at the rate of 18% per annum from the date of bills till actual realisation.

2. This Court vide order 01.05.2025, passed the hereinafter extracted order:-

“Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of a mandamus upon the respondents to release the payment of running bill of the petitioner alongwith interest at the rate of 18% per annum from the date of bills till actual realisation.

While referring to the report dated 01.04.2024 (Annexure P4) learned counsel for the petitioner inter alia submits that the work which was allotted to the petitioner has been duly executed and the same has been verified by the Cleaning Inspector from the office of Municipal Committee, Uchana, Jind (respondent no.3), and despite that the bills of the petitioner have not been cleared till date.

He further submits that the petitioner has made a representation dated 24.12.2024 (Annexure P-6), and numerous reminders to respondent no.3, but due to their indolent and lackadaisical approach, in not deciding the said representation, propelled the petitioner to approach this Court.

Notice of motion.

Mr. Rajesh Gaur, Addl.A.G., Haryana, accepts notice on behalf of respondents no.1 and 2, and waives service, and accepts notice on behalf of respondent no.3, as a private practitioner.

Adjourned to 27.05.2025.

In the meanwhile, respondent no.3, is directed to make its all endeavours to take final decision on the representation (Annexure P-6), within a period of 02 weeks from today, and a copy of the decision, so taken, shall be placed on record, positively, on or before the next date of hearing. In case the compliance of the aforesaid direction is not made, the competent officer of respondent no.3 shall cause his personal appearance before this Court on the next date of hearing.

To be shown in the urgent list.

It is made clear that no further request for an adjournment shall be entertained on the next date of hearing, on behalf of either of the parties.”

3. In deference the direction (*supra*), learned counsel for respondent no.3, has filed a written statement alongwith the speaking order dated 13.05.2025, today in Court, which is ordered to be taken on record, with a copy thereof supplied to learned counsel for the petitioner.

4. He further apprised this Court, that though the bills of the petitioner were considered by the Secretary, Municipal Committee, Uchana (Jind), however, in the speaking order, he has stated that the bills can only be put up before the Payment Approval Committee in its meeting, and such meeting can only be called with the concurrence of the President of Committee. However, in the absence of any concurrence, no date for meeting of the Payment Approval Committee, has been fixed.

5. Considering the aforesaid that the apt authority has not taken any decision on the request of the petitioner, this Court deems it apt to dispose of the instant writ petition with a *mandamus* upon both, the President as well as the Secretary, Municipal Committee, Uchana, to call for the meeting of the Payment Approval Committee, within one month from the date of passing of this order, and thereupon, take a final decision on the bills, as submitted by the petitioner. The decision, so taken, shall be communicated to the petitioner, against a valid receipt.

6. It is further goes without saying that in case the petitioner is found to be entitled for the payment of bill(s) amount, the same shall be released, within a period of 15 days from the date of decision, so taken.

7. **Disposed of** accordingly.

**May 27, 2025**  
*dharamvir*

**(KULDEEP TIWARI)**  
**JUDGE**

|                            |   |        |
|----------------------------|---|--------|
| Whether speaking/reasoned. | : | Yes/No |
| Whether Reportable.        | : | Yes/No |