

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

109

CWP-35143-2024

Date of Decision : February 18, 2025

NARESH KUMAR

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. D.K.Tuteja, Advocate for the petitioner.
Mr. Rajesh Gaur, Addl.AG, Haryana.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition, as cast under Article 226 of the Constitution of India, prayer is made for issuance of mandamus upon the respondents concerned to release the undisputed amount of various bills dated 20.7.2022 to 5.12.2022 (Annexure P-9).
2. This Court vide order dated 6.2.2025, has passed the following order:-

“1. The main grievance which propelled the present petitioner to approach this Court by casting instant petition under Article 226 of the Constitution of India, is the indolent and lackadaisical approach of the authority concerned, in not deciding his representation (Annexure P-13).

2. Notice of motion.

3. Mr. Bhupender Singh, D.A.G., Haryana, accepts notice on behalf of all the respondents. He seeks time to file a response to the instant petition.

4. List on 18.02.2025, in the urgent list.

5. The competent authority amongst the respondents is directed to make endeavour to take a final decision on the representation (Annexure P-13), 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.

6. In case, compliance of the aforesaid direction is not made, the respondent no.2 shall cause his personal appearance before this Court on the next date of hearing.”

3. In deference to the directions issued on 13.1.2025, the compliance report by way of affidavit of Balvinder Nain, Executive Engineer, PHE Division No.3, Rohtak has been filed. The compliance report reflects that the admitted bill has already been sanctioned and a special letter of credit of Rs.20.94 lacs has already been demanded by the competent authority and it is further undertaken in the compliance report that the requisite payment will be made within four months. The relevant extract of the same reads as under:-

“That the above mentioned writ petition was pending in the Hon'ble High Court for hearing on 13.01.2025 and Hon'ble Court was pleased to pass following Interim directions:-

5. "The Competent Authority amongst the respondents is directed to make endeavour to take a final decision on the representation (Annexure-P-13), 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.

6. *In case, compliance of the aforesaid direction is not made, the respondent no. 2 shall cause his personal appearance before this court on the next date of hearing."*

2. *That in compliance of the interim directions given by this Hon'ble Court vide order dated 13.1.2025, the representation (Annexure P-13) submitted by the petitioner has already been decided by passing speaking order by answering deponent and a special Letter of credit of Rs. 20.94 Lacs has already demanded by the answering respondent and requisite payment will be made within four months. Copy of speaking order is annexed as annexure R-1."*

4. In view of the above, no further direction is required to be passed in the instant petition, therefore, the same is **closed** and **disposed** of accordingly.

5. In case still the petitioner has any grievance, he is at liberty to approach the appropriate Forum/Authority.

February 18, 2025
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(KULDEEP TIWARI)
JUDGE

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