



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(228)

CWP-4729-2024

Date of decision:- 24.02.2026

HARPREET SINGH

... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Peeyush Gagneja Advocate
for the petitioner.

Mr. Kanav Singla, AAG, Punjab.

Mr. Shobit Phutela, Advocate and
Ms. Arundhati, Advocate
for respondent No.3.

SUVIR SEHGAL, J. (ORAL)

1. Petitioner has approached this Court, *inter alia*, for issuance of a writ in the nature of certiorari for quashing impugned order dated 15.05.2023, Annexure P-16, and for directing the respondents to release the pending payment along with interest, for supply of sanitary workers.

2. Counsel for the petitioner states that sixty six workers, through outsourcing, were supplied by the petitioner to Municipal Corporation, Abohar-respondent No.3, in view of letter dated 29.03.2019, Annexure P-1, issued by the Government of Punjab. He states that these workers were engaged by respondent No.3 for the cleanliness of the town in view of guidelines of a



Swachh Bharat Mission. He submits that vide minutes dated 08.05.2020, Annexure P-2, Commissioner directed that payment to the contractors against the employees serving through outsourcing should be released. Counsel asserts that all requisite procedural formalities were completed but an amount of Rs.1,19,33,698/-, due to the petitioner has not been disbursed. Counsel states that petitioner approached this Court and by order dated 18.01.2023, passed in CWP-4966-2021, a direction was issued to respondent No.3 to decide the legal notice, which has been rejected by respondent No.3 by virtue of impugned order dated 15.05.2023, Annexure P-16. It has been contended that a perusal of the minutes, Annexure P-2, shows that petitioner is entitled to the amount on account of the supply of workers through outsourcing and admitted payment is not being disbursed.

3. Upon notice, writ petition has been contested by respondent No.3 by filing an affidavit wherein it has been deposed that petitioner has defaulted in making the payment of Employees' Provident Fund/ESI to the workers and has failed to provide the requisite documents to the Corporation. It has been stated that payment for the work from March, 2019 to March, 2020, has been withheld for this reason. It is also a stand of the respondent No.3 that Abohar City has been ranked as the third most dirtiest city with population of less than 10 lakhs, in a survey conducted by the Quality Council of India. He submits that during this period, the sanitation work was being conducted by the employees of the petitioner. It has been specifically stated that once the petitioner furnishes the EPF/ESI documents, respondents shall proceed with the matter. Relevant extract of the affidavit filed by respondent No.3 is reproduced



hereunder:-

“9. That it is humbly submitted that as per the Speaking Order dated 15.05.2023 (Annexure P-16) and representations provided by the Petitioner, the Petitioner has not provided the required documents as requested to be furnished to the office of Answering Respondent. It is humbly submitted that in regards to the Speaking Order dated 15.05.2023, the Petitioner has provided the Certified Copies of the Aadhar Cards and Bank details of the employees; Uncertified Copy of the Bank Statement of the Employer for the year 2019-20, Uncertified Copy of the Bank Loan Account Statement in regards to the payment of amount of salary to 66 employees during the aforesaid years. The documents as submitted by the Petitioner-Contractor are annexed as Annexure R-3/1 (Colly).

10. That it is pertinent to mention herein that the Petitioner has defaulted in making the EPF/ESIC payment to the 66 Sanitary Workers and subsequently has failed to provide the documents to the Answering Respondent, thus the Answering Respondent has withheld the payment to the Petitioner in regards to the Sanitary work conducted during the period from March, 2019 to 31.03.2020.

11. That it is further pertinent to mention herein that as per the Survey Conducted by the Quality Council of India, Abohar City has been ranked as the "3rd most Dirtiest City in Population Less than 10 Lakhs" out of 382 cities as surveyed during the period of March, 2019 to 31.03.2020 i.e., the period wherein the Sanitation work has been conducted by the employees of the Petitioner.



12. That the present petition is based on false facts. When the Petitioner stated that he has made the payment to the employees after obtaining loan, it was also obligatory on the part of the Petitioner to have deposited the EPF/ESI. It is submitted that as soon as the Petitioner submits the record as mentioned in the Speaking Order, the Answering Respondent will proceed in the matter further. No cause of action has accrued to the Petitioner to file the present petition.”

4. Counsel for the parties have been heard. In view of the affidavit filed by contesting respondent No.3, this Court is of the opinion that the writ as sought for by the petitioner cannot be issued. Respondents have categorically stated that petitioner has not furnished the requisite documents. Simultaneously, they have taken a stand that once the petitioner furnishes the documents pertaining to the deposit of EPF/ESI regarding the sanitation workers, the matter shall be processed further.

5. Accordingly, it is directed that upon furnishing of requisite documents by petitioner, respondent No.3 shall disburse the payment within four months thereafter.

6. Writ petition is disposed of.

(SUVIR SEHGAL)
JUDGE

24.02.2026
parul verma

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