

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112 (3 cases)

CWP-34432-2024
Date of Decision: 17.03.2026

M/s Digital Control Systems

...Petitioner

Versus

State of Haryana and others

...Respondents

With

Sr. No.	Case No.	Petitioner	Respondents
2.	CWP-2867-2025	M/s Digital Control Systems	State of Haryana and others
3.	CWP-2909-2025	M/s Digital Control Systems	State of Haryana and others

CORAM: HON’BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Raman B. Garg, Advocate,
Mr. Mayank Garg, Advocate and
Ms. Komal Parveen Singh, Advocate for the petitioner

Mr. Akshit Pathania, Assistant Advocate General, Haryana

Mr. Rajesh Gaur, Advocate and
Ms. Anjali Singh, Advocate for respondent Nos.3 and 4

JAGMOHAN BANSAL, J. (Oral)

1. As common issues are involved in the captioned petitions, with the consent of both sides, the same are hereby disposed of by this common order. For the sake of brevity and convenience, facts are borrowed from *CWP No.34432 of 2024*.
2. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 24.09.2024 whereby respondent No.3 has rejected its request for releasing payment for the work carried out during 03.08.2022 to 30.11.2022.



3. The petitioner is a proprietorship concern. It is a Government Contractor. It is regularly rendering services to Government Authorities. It claims that during 03.08.2022 to 30.11.2022, on the asking of respondent, services were rendered. The respondent was liable to pay a sum of ₹17,70,000/- which is evident from memo dated 28.06.2023. The said memo has been signed by Assistant Engineer, Executive Engineer and Superintending Engineer. The respondent developed dishonest intention and resiled from its oral commitment. The respondent refused to release payment. On the directions of this Court, the respondent has passed impugned order. The respondent has rejected petitioner's claim on the sole ground that there was no work order in its favour and work was never sanctioned.

4. Learned counsel for the petitioner submits that memo dated 28.06.2023 which was countersigned by higher authorities candidly reveals that petitioner on the oral request of respondent rendered its services during 03.08.2022 to 30.11.2022. The respondent conceded payment of ₹17,70,000/-. The respondent cannot deny payment on the ground of absence of work order.

5. On being confronted with memo dated 28.06.2023, learned counsel for respondent Nos.3 and 4 submits that competent authority would re-verify petitioner's claim and if it is found that it has actually worked though without work order, appropriate payment would be released.

6. From the perusal of record, it is evident that by memo dated 28.06.2023, respondent has conceded that petitioner rendered services during 03.08.2022 to 30.11.2022. The petitioner was entitled to ₹17,70,000/-



for its services. The respondent has rejected petitioner's claim on the sole ground that there was no work order. It is true that payment cannot be released without work order, however, if the petitioner has worked on the assurance of respondent that post-facto approval would be granted, it cannot be denied its payment. The respondent is bound to consider this aspect and release the payment, if during verification it is found that petitioner had actually rendered services.

7. In the backdrop, the petitions stand disposed of. Let the needful be done within 3 months from today.

(JAGMOHAN BANSAL)
JUDGE

17.03.2026

Mohit Kumar

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