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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 271/2026, CM APPL. 10923/2026, CM APPL. 10924/2026, CM APPL. 10925/2026**
SANJAY PANWARPetitioner

Through: Mr. Kamlesh Kumar Mishra,
Mr. Piyush Kumar Singh, Ms. Renu
and Ms. Arthana, Advocates.

versus

SANJEEV KHIRWAR AND ORSRespondents

Through: Ms. Puja S. Kalra, Standing Counsel
along with Mr. Virendra Singh,
Advocates and Mr. Hasruddin, AE,
MCD for MCD.

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

17.02.2026

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1. The present petition alleges wilful disobedience of the directions contained in the order dated 27.11.2025 passed by this Court in W.P.(C) 17957/2025. The said order reads as under:-

"1. The present writ petition has been filed seeking directions to the respondents to pay the total outstanding contractual amount of Rs.25,78,100/- to the petitioner for completion of five works by the petitioner.

2. It is submitted that the petitioner is a civil contractor, who is duly empanelled with the Municipal Corporation of Delhi ("MCD"), and has been executing various civil construction projects for the MCD. It is submitted that the petitioner was assigned various works in the year 2023-2024, which have been duly completed by the petitioner. The details of the work orders, along with the outstanding amount payable to the petitioner, as given in the petition, are reproduced as under:

S.NO	WORK ORDER NO.	OUTSTANDING AMOUNT
1.	EE(M-SZ-II)/SYS/2023-2024/111	Rs. 4,55,070/-
2.	EE(M-SZ-II)/SYS/2023-2024/145	Rs. 7,50,745/-
3.	EE(M-SZ-II)/SYS/2023-2024/161	Rs. 3,93,901/-
4.	EE(M-SZ-II)/SYS/2023-2024/185	Rs. 5,24,960/-
5.	EE(M-SZ-II)/SYS/2023-2024/250	Rs. 4,53,424/-
Total Outstanding Amount		Rs. 25,78,100/-



3. It is submitted that despite making several representations to the authorities, the requisite outstanding amount has not been released to the petitioner.

4. Responding to the present writ petition, learned counsel appearing for the respondent-MCD has handed over to this Court, a letter dated 25th October, 2025, to submit that the petitioner has still not submitted the final bills in terms of the detailed measurements of each work. The letter placed before this Court, as issued by the office of the Executive Engineer, (M)-II, South Zone, MCD, is reproduced as under:

MUNICIPAL CORPORATION OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER- (M)-II
SOUTH ZONE, GULMOHAR PARK, NEW DELHI 110049

No. EE (MS)-II/SZ/2025-26/D- 564 Dated 25/10/25

To,
M/s Sanjay Panwar,
143, Shahpur Jat,
New Delhi-110049.

Subject: Regarding submission of detailed measurements and acceptance of record entries made in the Measurement book.

Ref: W.O. No. EE-MS-II/SYS/2023-24/78 dt. 06.09.2023.
W.O. No. EE-MS-II/SYS/2023-24/111 dt. 25.09.2023.
W.O. No. EE-MS-II/SYS/2023-24/145 dt. 06.12.2023.
W.O. No. EE-MS-II/SYS/2023-24/161 dt. 19.12.2023.
W.O. No. EE-MS-II/SYS/2023-24/185 dt. 09.01.2024.
W.O. No. EE-MS-II/SYS/2023-24/250 dt. 15.03.2024.

Dear Sir,

With reference to your letters received in this office vide diary numbers dated 12.07.2024, and your Legal Notice dated 08.10.2025, the following is submitted:

The works were awarded to you under the work orders referred to above. As reported by the concerned JE/AE, certain works remain incomplete at the site, specifically those under W.O. No. 78 dated 06.09.2023, W.O. No. 145 dated 06.12.2023. Furthermore, the work executed under W.O. No. 250 dated 15.03.2024 has been found unsatisfactory. It is also noted that although some works have been completed and the corresponding entries recorded in the Measurement Book, you have not accepted these measurements. You are required to adhere to all clauses stipulated in the General Conditions of Contract/NIT.

As per Clause 2 of the work order, you were directed to execute the formal agreement within seven days of receiving communication by any means. Additionally, Clause 4(b) clearly mandates that the contractor must submit RA/Final bills along with complete measurements; failing which, no dues will be considered against the executed work. However, you have neither executed the agreement nor submitted detailed measurements and bills.

Under the provisions of Clauses 6, 6-A, and 9 of the GCC, all measurements are required to be signed and dated by both the Engineer-in-Charge and the contractor or their authorized representative as a token of acceptance, followed by submission of the final bill with detailed measurements. Despite several telephonic and verbal requests made by the concerned field staff, you have failed to comply with these requirements. This constitutes a violation of the terms and conditions of the Contract/NIT.

You are hereby directed to submit detailed measurements and bills for each work separately, accept the entries recorded in the Measurement Book, execute and sign the formal agreements within seven days, and complete all pending works at the site so that the process of bill verification and payment may be initiated.

Executive Engineer
M-II/South Zone

Copy to: -

1. SE-1 for kind information, please.
2. AE/JE pursue and report.
3. AAO
4. O/c

Executive Engineer
M-II/South Zone

5. Per contra, learned counsel appearing for the petitioner submits that



requisite bills have already been submitted by the petitioner. However, he submits that, in case, there is any further requirement of submitting bills, the petitioner shall comply with the same.

6. Accordingly, having heard learned counsels appearing for the parties, it is directed that the petitioner shall approach the office of the Executive Engineer, (M)-II, MCD, to comply with all the directions, as have been issued to the petitioner, with regard to submission of the final bills with detailed measurements of the works.

7. The submissions made in the present petition, be also considered by the concerned officials, and a personal hearing be granted to the petitioner.

8. With the aforesaid directions, the present writ petition, along with the pending applications, is accordingly disposed of.”

2. During the course of hearing, learned counsel for the respondents submits that except for work order Nos.EE(M-SZ-II)/SYS/2023-2024/145 dated 06.12.2023 and EE(M-SZ-II)/SYS/2023-2024/250 dated 15.03.2024, the work performed in respect of other work orders has been verified and requisite steps have been taken to process the payment in respect thereof. The said statement is taken on record.

3. It is agreed that in respect of the aforesaid work orders for which the payment has been withheld, an opportunity of hearing shall be provided to the petitioner by the concerned Executive Engineer on 20.02.2026 (Friday) at 11:30 AM. Thereafter, an appropriate decision shall be taken and duly communicated to the petitioner.

4. The above redresses the grievance of the petitioner. No further orders are required to be passed; the petition stands disposed of.

5. Needless to say, the petitioner shall be at liberty to take appropriate legal remedies in case it is aggrieved by the decision that may be taken by the concerned Executive Engineer.

6. Order *dasti*.

SACHIN DATTA, J

FEBRUARY 17, 2026/r