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

**CWP-21153-2024**

Date of Decision: **25.02.2025**

Satish Kumar Gupta

...Petitioner

Versus

State of Haryana and others

...Respondents

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

**Present:** Mr. Naveen Gupta, Advocate  
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

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

1. Through the instant petition, prayer has been made for issuance of directions to respondent No.4 to release the admitted payments, and the final bill amount-cum-security deposit as the petitioner has already executed the entire work.

2. In compliance of the previous order, reply dated 24.02.2025 has been filed today in the Court by the State-respondent Nos.1 to 5, by way of affidavit of Mr. Karan Singh, Sub-Divisional Engineer, Provincial Sub-Division No.7, PWD (B&R) Ambala Cantt., which is taken on record. Copy of the same has been supplied to the counsel for the petitioner

3. In the reply, it is not disputed regarding the entitlement of the petitioner for the bills, however, it is mentioned that the most of the bills of the petitioner have been cleared. From the record, it has come out that out of total 8 bills, 7 bills have already been cleared, and the issue is with regard to final bill. The reply, which has been filed today before this Court, describes that the

performance security in the form of the bank guarantee amounting to Rs.17.63 lakhs has already been released on 09.01.2025 after clearing Defect Liability Period and with respect to the security deposit amount of Rs.21.15 lakhs, demand of funds have already been raised from the concerned department, and the same will be released in due course of time. The relevant extract of the reply is reproduced as under:-

***7. That, the matter of enhancement was taken up by the respondent department (i.e. Public Works (B&R) Department, Haryana) with the Client Department (i.e. Agriculture & Farmer's Welfare Department, Haryana) in a meeting held under the chairmanship of worthy Chief Secretary Haryana on 15.02.2024 vide UO no.12663/WII dated 24.01.2024 (Annexure-R-1). After approval of the enhancement case and further deposition of the funds by the Client Department, 8<sup>th</sup> and Final Bill which includes the enhanced work amount of approximately 70.00 Lakhs will be paid to the petitioner.***

***8. It is further stated that the Performance Security in the form of Bank Guarantee amounting to Rs.17.63 Lakhs has already been released to the petitioner on 09.01.2025 after clearing Defect Liability Period vide Respondent no. 4 office memo no.5058 dated 31.12.2024 (Annexure R-2) and with respect to the Security Deposit amount of Rs.21.15 lakhs, demand of funds have been raised to the Client Department vide Respondent Department office memo no. 345 dt. 08.01.2025 (Annexure R-3). Same will be released in due course of time as and when funds are received from the client department.***

4. In view of the specific stand taken by the contesting respondents, learned counsel for the petitioner submits that a direction may be passed upon the respondents to release the amount as adverted in para Nos.7 and 8 within a time bound manner.

5. After having instructions from the quarter concerned, learned State counsel informs this Court that the due amount will be released within a period of three months from today.

6. In view of the above, no further direction is required to be passed by this Court, and the present petition **stands disposed of** accordingly. In case, the grievance of the petitioner still survives, he has liberty to avail an alternative remedy as available to him in accordance with law.

25.02.2025

*Parveen kumar*

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

Whether speaking/reasoned :Yes/No  
*Whether reportable* :Yes/No