



**126-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP-36588-2025 (O&M)
Date of Decision: 23.03.2026**

Jai Bhagwan Sharma

...Petitioner(s)

Versus

State of Haryana and Others

...Respondent(s)

And

Sr. No.	Case No.	Petitioner(s)	Respondent(s)
2.	CWP-36686-2025 (O&M)	Jai Bhagwan Sharma	State of Haryana and Others
3.	CWP-36699-2025 (O&M)	Jai Bhagwan Sharma	State of Haryana and Others

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Pardeep Kumar Sharma, Advocate
for the petitioner(s).

Mr. Deepak Vashisht, DAG, Haryana.

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-36588-2025**.

2. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to decide legal notice dated 01.04.2024 in a time bound manner.

3. On 08.12.2025, the following order was passed:

“By making a reference to Annexure P-3, counsel for the petitioner states that the work allotted to the petitioner has been completed as per PWD specifications and has been



duly certified by the Officer-in-Charge. He submits that no vigilance enquiry is pending, but the amount due is not being released.

Advance copy of the petition has been served upon the respondents.

Mr. Deepak Vashisth, Deputy Advocate General, Haryana puts in appearance on behalf of the respondents and requests for short accommodation to get instructions and file an affidavit.

List on 30.01.2026.”

4. Learned State counsel submits that estimated cost was Rs.555/- per cubic metre whereas after competition of work, the cost was determined Rs.397/- per cubic metre. As per Clause 9 of Work Order, the Sub-Divisional Officer has power to reduce cost of work. The respondent has already released payment as per its calculation.

5. On being asked, learned State counsel concedes that work was carried out in emergent situation.

6. From the perusal of Clause 9 of Work Order as relied upon by respondent, it is evident that agreed amount can be reduced if work is not performed to the satisfaction of Executive Engineer. In case work is executed to the satisfaction of Authorities, said Clause cannot be invoked.

For the ready reference, Clause 9 is reproduced as below:

“9. Payment will only be made work executed to the satisfaction of Executive Engineer and any work not so executed to shall be rejected or paid at a lower rate at the option of the Sub-Divisional Officer.”

7. The petitions stand **disposed of** with a direction to respondent to consider petitioner’s claim in the light of Work Order. It is



made clear that Clause 9 of Work Order does not permit respondent to reduce value of work, however, respondent while passing order on petitioner's representation would be free to rely upon any other Clause. Let the needful be done within two months from today.

8. Pending application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

23.03.2026
Prince Chawla

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No