

Court No. - 21

Case :- WRIT - C No. - 11232 of 2020

Petitioner :- M/S Raj Associates

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Sharad Sinha, Mahesh Sharma, Shailja Kant Tripathi

Counsel for Respondent :- C.S.C., Manoj Kumar Singh, Manu Saxena

Hon'ble Manoj Kumar Gupta, Acting Chief Justice

Hon'ble Donadi Ramesh, J.

1. Heard Shri A.P. Paul, learned counsel for the petitioner and Shri Manoj Kumar Singh, learned counsel appearing on behalf of the respondent nos.3 and 4.
2. The prayer made in the instant petition is for a direction to the respondent nos.3 and 4 to make payment for the work done by petitioner firm under a contract given to it in pursuance of tender dated 20.12.2016. The work under the contract was in relation to putting of interlocking bricks.
3. The case of the petitioner firm is that it had satisfactorily completed the entire work and, even, the respondents had acknowledged the same. They have also released the bank guarantee but the payment against the bills for the work executed has not been made so far.
4. Learned counsel for the petitioner has invited our attention towards letter dated 07.08.2020 by Executive Officer, Nagar Palika Parishad, Khurja addressed to the petitioner. In the said letter, it is mentioned in reference to the instant case that the work was got done under State Finance Commission Fund. There is no money in the said fund. The petitioner has been assured that as and when money is received in the fund, the payment of the petitioner would be made.
5. Learned counsel for the petitioner submits that since there is no dispute relating to the fact that the petitioner firm had satisfactorily executed the entire work and, even, the liability to make payment has been accepted, therefore, the writ petition deserves to be allowed.

6. Shri Manoj Kumar Singh, learned counsel appearing on behalf of the respondent nos.3 and 4 does not dispute that the petitioner had duly executed the work under the contract. He submits that three months' time be granted for making the payment to which Shri A.P. Paul, learned counsel appearing on behalf of the petitioner has no objection.

7. Accordingly, the petition is **disposed of** by providing that the respondent nos.3 and 4 shall ensure payment of the entire outstanding amount of the petitioner under the contract given to it for the interlocking work within a period of three months from today.

(Donadi Ramesh, J.) (Manoj Kumar Gupta, A.C.J.)

Order Date :- 30.11.2023

Ankit.