

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

THURSDAY, THE 5TH DAY OF MARCH 2015/14TH PHALGUNA, 1936

OP(C).No. 594 of 2015 (O)

OP(ARB)NO. 541/2012 OF 2ND ADDITIONAL DISTRICT COURT, TRIVANDRUM.
.....

PETITIONER/PETITIONER:

**M/S.KAIKARA CONSTRUCTION COMPANY,
KAITHAVARAM BUNGLOW, THIRUMULAVARAM P.O.,
KOLLAM, PIN - 691 012, REP. BY ITS MANAGING PARTNER,
A.ABDUL SALAM, KAITHAVARAM BUNGLOW,
THIRUMULLAVARAM P.O., KOLLAM, PIN - 691 012.**

**BY ADVS.SRI.K.BABU THOMAS
SMT.MARYKUTTY BABU**

RESPONDENT(S)/RESPONDENTS:

- 1. THE STATE OF KERALA,
REP. BY THE SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. PROJECT DIRECTOR,
KERALA WATER TRANSPORT PROJECT (KSTP),
P.W.D PROJECT IMPLEMENTATION TEAM, T.C 11/339,
JAGAD BUILDING, KESTON ROAD, NANTHANCODE,
KOWDIAR, THIRUVANANTHAPURAM - 695 003.**
- 3. THE CHIEF ENGINEER, KSTP/PWD/PMT, T.C 11/339,
JAGAD BUILDING, KESTON ROAD, NANTHANCODE,
KOWDIAR, THIRUVANANTHAPURAM - 695 003.**
- 4. THE SUPERINTENDING ENGINEER, KSTP/PWD/PMT,
T.C 11/339, JAGAD BUILDING, KESTON ROAD,
NANTHANCODE, KOWDIAR, THIRUVANANTHAPURAM - 695 003.**
- 5. THE EXECUTIVE ENGINEER, PWD/KSTP DIVISION,
PULAMON P.O., KOTTARAKKARA -691 531.**

BY GOVERNMENT PLEADER SRI.REJI JOSEPH

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 05-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

OP(C).No. 594 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXHIBIT-P1- TRUE COPY OF O.P(ARBN)NO. 541/2012 FILED BY THE PETITIONER
PENDING BEFORE THE 2ND ADDITIONAL DISTRICT JUDGE'S COURT,
TRIVANDRUM.**

**EXHIBIT-P2- TRUE COPY OF THE PARTICULARS OF POSTING OF O.P (ARBN)
NO.541/2012 AND O.P (ARBN) NO. 517/2012, PENDING BEFORE THE
SECOND ADDITIONAL DISTRICT JUDGE'S COURT, TRIVANDRUM.**

RESPONDENT(S)' EXHIBITS:

- NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

P. BHAVADASAN, J.

O.P.(C). No. 594 of 2015

Dated this the 5th day of March, 2015.

JUDGMENT

The limited prayer in this Original Petition under Article 227 of the Constitution of India is for a direction to Additional District Court, Thiruvananthapuram to take up O.P.(Arb.) 541 of 2012 and dispose of the same as expeditiously as possible and within the time stipulated by this Court.

2. The petitioner challenged the award passed by the Arbitrator before the court concerned. Inpite of appearance of the opposite side and having heard their contentions, the matter is being adjourned from time to time without any progress which causes considerable prejudice to the petitioner. It is also pointed out that when the matter came up on 21.2.2015 the petitioner prays for a hearing and it was posted to 30.5.2015. It is pointed out that the matter is to be disposed of as soon as possible to

avoid further injury and loss to the petitioner.

3. In the nature of the order that is proposed to be passed in this Original Petition, notice to the respondents is unnecessary.

This Original Petition is disposed of directing the court below to advance the hearing of O.P.(Arb.) 541 of 2012 on a petition to be moved by the petitioner and immediate posting shall be given and the matter shall be disposed of within four months thereafter.

sb.

P. BHAVADASAN,
JUDGE