

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 23RD DAY OF NOVEMBER 2015/2ND AGRAHAYANA, 1937

RP.No. 1111 of 2015 (M) IN WP(C).30158/2008

AGAINST THE JUDGMENT IN WP(C) 30158/2008 OF THE HIGH COURT OF KERALA
DATED 23-09-2015

REVIEW PETITIONER(S)/RESPONDENTS 1 TO 6:

1. STATE OF KERALA
REPRESENTED BY CHIEF SECRETARY TO GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM.
2. THE PRINCIPAL SECRETARY TO GOVERNMENT
PUBLIC WORKS (D) DEPARTMENT, THIRUVANANTHAPURAM.
3. THE PRINCIPAL SECRETARY TO GOVERNMENT
(FINANCE), GOVERNMENT OF KERALA, SECRETARIAT
THIRUVANANTHAPURAM.
4. THE CHIEF ENGINEER
ROADS AND BRIDGES DIVISION, PUBLIC WORKS DEPARTMENT
THIRUVANANTHAPURAM.
5. THE SUPERINTENDING ENGINEER
ROADS AND BRIDGES DIVISION, NORTHERN CIRCLE
KOZHIKODE.
6. THE EXECUTIVE ENGINEER
ROADS DIVISION, PUBLIC WORKS DEPARTMENT, MANJERI.

BY GOVERNMENT PLEADER SRI SOJAN JAMES

RESPONDENT(S)/PETITIONER IN WP(C):

ASOKAN.T., AGED 53 YEARS
S/O.KUNHIKANDAN, PATTALIL HOUSE, CHELAVOOR P.O.
KOZHIKODE - 673 571.

BY SRI.K.MOHANAKANNAN

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON
23-11-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

BKA/-

A.V. RAMAKRISHNA PILLAI, J.

R.P. No. 1111 of 2015

in

W.P.(C) No. 30158 of 2008

Dated this the 23rd day of November, 2015

ORDER

The Government is in review.

2. The grievance of the review petitioner is that there is no arbitration clause in the agreement and therefore, it is not necessary to refer the matter to the arbitration committee.

3. I have heard the learned Government Pleader and the learned counsel for the writ petitioner.

4. I feel that the question now raised is an apparent error on the face of the record, which calls for a review. Therefore, the judgment impugned is modified, deleting the direction to refer the matter to the arbitration committee. The matter is left open to be decided by the Government in accordance with law after affording the writ petitioner an opportunity of being heard within a period of three months from the date of receipt of a copy of this order.

The review petition is disposed of as above.

Sd/-

**A.V. RAMAKRISHNA PILLAI
JUDGE**

bka/23.11.2015

//True copy//

PA to Judge