

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 15TH DAY OF JULY 2015/24TH ASHADHA, 1937

WP(C).No. 18350 of 2015 (P)

PETITIONER :

**K.K.ABDULKHALEEL,
KUTTIYANIKARA HOUSE, EDATHALA NORTH P.O., ALUVA
REPRESENTED BY HIS POWER OF ATTORNEY HOLDER
SRI.A.K.POULOSE, GOVERNMENT CONTRACTOR
AMMATHUKUZHAYIL HOUSE, THIRUVANIYOOR P.O.,
PUTHENCROUZ, ERNAKULAM-682308.**

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

RESPONDENT(S) :

- 1. STATE OF KERALA
REP. BY THE SECRETARY TO GOVERNMENT
WATER RESOURCES DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM-695 001.**
- 2. THE CHIEF ENGINEER
PROJECT-II, PUBLIC OFFICE BUILDINGS
THIRUVANANTHAPURAM-695 033.**
- 3. THE SUPERINTENDING ENGINEER
PROJECT CIRCLE, MUVATTUPUZHA
ERNAKULAM DISTRICT-686 661.**
- 4. THE ENGINEER
MVIP DIVISION, PIRAVOM,
ERNAKULAM DISTRICT-686 664.**

R1 TO R4 BY GOVT. PLEADER SRI. ABDUL SALAM

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No. 18350 of 2015 (P)

APPENDIX

PETITIONERS' EXHIBITS :

- EXHIBIT-P1: TRUE COPY OF RELEVANT PORTION OF AGREEMENT FOR THE WOKRS.
- EXHIBIT-P2: TRUE COPY OF LETTER OF THE 2ND RESPONDENT APPROVING DEVIATION.
- EXHIBIT-P3: TRUE COPY OF RELEVANT PORTION OF MEASUREMENT BOOK WITH BILL FOR PAYMENT OF RS.23,72,834/-.
- EXHIBIT-P4: TRUE COPY OF REPRESENTATION OF THE PETITIONER TO THE 3RD RESPONDENT.
- EXHIBIT-P5: TRUE COPY OF ORDER OF THE 2ND RESPONDENT APPROVING THE REVISED ESTIMATE WITH VARIATIONS.
- EXHIBIT-P6: TRUE COPY OF LETTER OF THE 4TH RESPONDENT TO THE 2ND RESPONDENT REPORTING NON-PAYMENT OF RS.22,60,761/- ALONG WITH LETTER DATED 17.3.2015 FOR LETTER OF CREDIT AND SENIORITY ASSIGNED ON 13-3-2015.
- EXHIBIT-P7: TRUE COPY OF REPRESENTATION OF THE PETITIONER TO THE FIRST RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

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K. VINOD CHANDRAN, J.

W.P.(C) No. 18350 of 2015 (P)

Dated this the 15th day of July, 2015

J U D G M E N T

The petitioner is aggrieved with the fact that the petitioner's bill has not been sanctioned and paid in accordance with the seniority scheduled for payment by the Government.

2. The learned Government Pleader submits that the payment has not been effected only since the supplementary agreement has not been executed by the petitioner.

3. In such circumstance, as soon as the supplementary agreement is executed by the petitioner, the consideration for sanction and payment would be made in accordance with the seniority.

Writ Petition is disposed of.

Sd/-
K.VINOD CHANDRAN,
JUDGE