

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

WP(C).No. 28035 of 2015 (D)

PETITIONER(S):

**ABDUL NAZEER P.P., PWD CONTRACTOR,
PUTHUKOLLI PALLATTIL (HOUSE),
NELLIKUTH P.O., MANJERI, MALAPPURAM-676 122.**

**BY ADVS.SRI.JOMY GEORGE,
SRI.SEBASTIAN THOMAS,
SRI.P.REJINARK,
SMT.K.B.SONY,
SRI.DEEPAK MOHAN,
SMT.A.MINI JOSEPH.**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY ITS CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
- 2. THE SECRETARY,
PUBLIC WORKS DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
- 3. THE EXECUTIVE ENGINEER,
PWD ROADS DIVISION, MANJERY,
MALAPPURAM DISTRICT-676 121.**
- 4. THE SUPERINTENDING ENGINEER,
ROADS AND BRIDGES NORTH CIRCLE,
PWD COMPLEX, MANACHIRA,
KOZHIKODE -673 001.**

BY GOVT. PLEADER SMT.C.K. SHERIN.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE SELECTION NOTICE NO.D3/1035/2015 DATED 04/09/2015
ISSUED BY THE 3RD RESPONDENT.
- EXT.P2 COPY OF THE SELECTION NOTICE NO.DC5/3615/2015 DATED 08/09/2015
ISSUED BY THE 4TH RESPONDENT.
- EXT.P3 COPY OF THE REPRESENTATION DATED 09/09/2015 SUBMITTED BY
THE PETITIONER ON THE BASIS OF EXT.P1 SELECTION NOTICE
BEFORE THE 3RD RESPONDENT.
- EXT.P4 COPY OF THE REPRESENTATION DATED 09/09/2015 SUBMITTED BY
THE PETITIONER ON THE BASIS OF EXT.P2 SELECTION NOTICE
BEFORE THE 4TH RESPONDENT.
- EXT.P5 COPY OF THE CERTIFICATE DATED 08/09/2015 ISSUED FROM THE
OFFICE OF THE 3RD RESPONDENT.
- EXT.P6 COPY OF THE CIRCULAR DATED 07/03/2003 ISSUED BY THE
1ST RESPONDENT.
- EXT.P7 COPY OF THE JUDGMENT DATED 13/08/2015 IN WP(C).NO.23721/2015
PASSED BY THIS HON'BLE COURT.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.28035 of 2015

Dated this the 16th day of September, 2015.

J U D G M E N T

The petitioner is awarded with execution of two works by the Public Works Department as referred in Exts.P1 and P2.

2. As per Ext.P1, the petitioner has been directed to furnish security deposit of Rs.75,000/- out of which 50% security deposit should be in the form of treasury deposit and also performance guarantee of Rs.1,89,000/-. As per Ext.P2, the petitioner has been directed to furnish security deposit of Rs.5,99,300/- out of which Rs.2,99,650/- shall be in the form of treasury deposit and performance guarantee for Rs.1,53,000/-.

3. The petitioner is entitled from the Public Works Department, a sum of Rs.26,41,538/- as evident from Ext.P5. In that view of the matter, there shall be a direction to the respondents to adjust the amount payable by the petitioner

as per Exts.P1 and P2 from the amount due to the petitioner as per Ext.P5 for executing the works mentioned in Exts.P1 and P2.

Writ petition is disposed of accordingly.

Sd/-

**A.MUHAMED MUSTAQUE,
Judge.**

ami/

//True copy//

P.A.to Judge