

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

WP(C).No. 29245 of 2015 (E)

PETITIONER:

**C.M.ABDULKHADER, AGED 47 YEARS,
S/O. MOIDEEN KUNHI HAJEE, P.W.D. CONTRACTOR, CHERKALA,
P.O.CHENGALA, KASARAGOD DISTRICT-671541.**

**BY ADVS.SRI.K.V.PAVITHRAN
SRI.JAYANANDAN MADAYI PUTHIYAVEETIL
SRI.P.SAJU
SRI.NIAS MOOPAN**

RESPONDENTS:

- 1. SUPERINTENDING ENGINEER,
PWD, BUILDINGS (NORTH) CIRCLE, KOZHIKODE-673001.**
- 2. EXECUTIVE ENGINEER,
PWD, BUILDINGS DIVISION, KASARAGOD-671121.**
- 3. ASSISTANT EXECUTIVE ENGINEER,
PWD, BUILDING SUB DIVISION, KASARAGOD-671121.**
- 4. ASSISTANT ENGINEER
PWD, SPECIAL BUILDINGS SECTION, NO.II,
KASARAGOD-671121.**
- 5. STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
PUBLIC WORKS DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695001.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1- TRUE COPY OF RELEVANT PORTIONS OF THE AGREEMENT.
- EXHIBIT P2- TRUE COPY OF THE COMPLETION CERTIFICATE ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT P3- TRUE COPY OF THE LETTER DATED 21-12-2012 OF 4TH RESPONDENT ADDRESSED TO 3RD RESPONDENT.
- EXHIBIT P4- TRUE COPY OF THE LETTER DATED 11-1-2013 OF 2ND RESPONDENT ADDRESSED TO 3RD RESPONDENT.
- EXHIBIT P5- TRUE COPY OF LAWYER NOTICE DATED 27-3-2014 ISSUED TO THE SECOND RESPONDENT.
- EXHIBIT P5(A)- TRUE COPY OF ACKNOWLEDGMENT OF EXHIBIT P5.
- EXHIBIT P6- TRUE COPY OF LETTER DATED 14-5-2015 OF THE PETITIONER ADDRESSED TO 3RD RESPONDENT.
- EXHIBIT P6(A)- TRUE COPY OF THE LETTER DATED 12-8-2015 OF THE PETITIONER ADDRESSED TO THIRD RESPONDENT.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 29245 of 2015

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Dated this the 28th day of September, 2015

J U D G M E N T

The petitioner submits that he has been submitted final bill on completion of the work before the third respondent for the work referred in Ext.P1. The petitioner submits that no action has been taken by the third respondent to submit final bill before the 2nd respondent.

2. The petitioner also made a request on Exts. P6 and P6(a). In view of the above, there shall be a direction to the 3rd respondent to take necessary steps based on Exts. P6 and P6(a) within 3 weeks from the date of receipt of the copy of this judgment.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE