

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

WP(C).No. 29869 of 2015 (G)

PETITIONER(S) :

**JIBY PAUL, AGED 47 YEARS,
S/O.K.C.PAULOSE, KOORANTHAZHATHUPARAMBIL HOUSE,
PULIYANAM P.O., KARUKUTTY, ERNAKULAM- 683 572.**

BY ADV. SRI.JELSON J.EDAMPADAM

RESPONDENT(S) :

- 1. THE SECRETARY TO GOVERNMENT,
P.W.D (ROADS AND BRIDGES), GOVERNMENT OF KERALA,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**
- 2. THE SECRETARY TO GOVERNMENT,
FINANCE DEPARTMENT, GOVERNMENT OF KERALA, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 3. THE SUPERINTENDING ENGINEER,
P.W.D (ROADS AND BRIDGES), CENTRAL CIRCLE,
ALUVA- 683 101.**
- 4. THE EXECUTIVE ENGINEER,
P.W.D ROADS DIVISION, THRISSUR- 680 001.**
- 5. THE ASSISTANT EXECUTIVE ENGINEER,
P.W.D ROADS SUB DIVISION, IRINJALAKUDA- 680 121.**
- 6. THE ASSISTANT ENGINEER,
P.W.D ROADS AND BRIDGES, KODAKARA- 680 684.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 29869 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT-P1: TRUE COPY OF THE COMMUNICATION NO. DT3-124/2011
DATED 17/05/2011 ISSUED TO THE PETITIONER BY
THE 3RD RESPONDENT.**

**EXHIBIT-P2: TRUE COPY OF THE REPRESENTATION DATED 14/09/2015
SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 29869 of 2015

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Dated this the 29th day of October, 2015

J U D G M E N T

The petitioner is a PWD contractor. He had executed an agreement and completed the work for Kodakara-Vellikulangara Road. The work was completed on 31.5.2013. The final bill was not been prepared for the reason that certain complaint has been raised against the petitioner and that the Vigilance Wing had conducted an enquiry. It is admitted now that no case has been registered in the matter.

2. It appears that delay occurred on account of the enquiry by the Vigilance and Anti Corruption Bureau. This Court is of the view that taking note of the fact that the letter of credit was issued on March 2013, the petitioner's seniority shall be reckoned with as on the date of 31.3.2013 and the bill shall be prepared without any delay.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE