

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

WP(C) .No. 30479 of 2015 (H)

PETITIONER(S) :

JOBY KURIAN,
AGED 39 YEARS, GOVERNMENT CONTRACTOR, KADAVANTTIL HOUSE,
PADINJAREKKARA P.O., VALLAKOM, VAIKOM,
KOTTAYAM DISTRICT, PIN - 686 146.

BY ADVS.SRI.BABU JOSEPH KURUVATHAZHA
SRI.P.T.ABHILASH

RESPONDENT(S) :

1. GOVERNMENT OF KERALA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF WATER RESOURCES,
GOVERNMENT SECRETARIAT, THIRUVANTHAPURAM - 695 001.
2. KERALA WATER AUTHORITY,
JALABHAVAN, VELLAYAMBALAM,
THIRUVANANTHAPRUAM - 695 033,
REPRESENTED BY ITS MANAGING DIRECTOR.
3. CHIEF ENGINEER,
JICA PROJECT, KERALA WATER AUTHORITY, JALABHAVAN,
VELLAYAMBALAM, THIRUVANANTHAPRUAM - 695 033.
4. PROJECT DIRECTOR,
JICA ASSISTED KERALA WATER SUPPLY PROJECT,
HOSPITAL ROAD, CHERTHALA,
ALAPPUZHA DISTRICT PIN - 688 524.

BY GOVERNMENT PLEADER SMT.C.K.SHERIN
BY SRI.JOSEPH JOHN, SC, KERALA WATER AUTHORITY.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
14-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXT.P1 TRUE COPY OF THE LETTER DATED 3-2-2012 OF THE 4TH RESPONDENT FORWARDED TO THE TERRITORY MANAGER, BHARAT PETROLEUM CORPORATION LTD, AMBALAMUGAL.
- EXT.P2 TRUE COPY OF THE CERTIFICATE DATED NIL ISSUED BY THE 4TH RESPONDENT.
- EXT.P3 TRUE COPY OF THE PROCEEDINGS DATED 24-2-2012 OF THE 3RD RESPONDENT FORWARDED TO THE CHIEF ENGINEER, P.W.D ROADS & BRIDGES, THIRUVANANTHAPURAM.
- EXT.P4 TRUE COPY OF THE PROCEEDING OF THE DEPUTY PROJECT CO-ORDINATOR UNDER THE 3RD RESPONDENT PERTAINING TO THE PAYMENTS EFFECTED TO THE PETITIONER AFTER EFFECTING RECOVERIES.
- EXT.P5 TRUE COPY OF THE REPRESENTATION DATED 29-05-2012 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.
- EXT.P6 TRUE COPY OF THE REPRESENTATION DATED 5-09-2012 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.
- EXT.P7 TRUE COPY OF THE REPRESENTATION DATED 14-08-2015 SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENTS.
- EXT.P8 TRUE COPY OF THE JUDGMENT DATED 18-09-2002 IN O.P NO 25741/2002 OF THIS HON'BLE COURT.
- EXT.P9 TRUE COPY OF THE JUDGMENT DATED 25-06-2004 IN COC NO 379/2004 OF THIS HON'BLE COURT.
- EXT.P10 TRUE COPY OF THE RODER DATED 4-5-2005 IN CIVIL APPEAL NO 3148/2005 OF THE HON'BLE SUPREME COURT OF INDIA.
- EXT.P11 TRUE COPY OF THE ORDER DATED 10-05-20-05 IN SPECIAL LEAVE TO APPEAL (CIVIL) NO 9780/2005 AND CONNECTED CASES OF THE HON'BLE SUPREME COURT OF INDIA.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.30479 of 2015

Dated this the 14th day of October, 2015

JUDGMENT

The petitioner has approached this Court on account of delay in disbursing the balance amount in respect of the work undertaken by the petitioner referred in Ext.P7 representation. The petitioner approached the respondents by Ext.P7 for releasing the amount.

This Court is of the view, the second respondent shall consider Ext.P7 representation and take appropriate decision to release the amount if the petitioner is entitled for the same, in the light of Ext.P8 to P11 within a period of two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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