

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPC No. 1286 of 2016**

Maa Mahamaya Buildcon India Ltd. A Private Limited Company  
Registered Under The Indian Companies Act, 1956 Through Director Smt.  
Madhu Agrawal Regd. Office At L 101 Saket Extension Building Agrasen  
Chowk, Bilaspur Chhattisgarh

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary Department Of Public Works, Mahanadi Bhawan, Mantralaya, Post & P.S. Mandir Hasaud Raipur Chhattisgarh
2. Engineer In Chief, Public Works Department Sirpur Bhawan, Raipur Chhattisgarh
3. M/s Mahamaya Developers And Builders, Through Proprietor Pawan Kumar Agrawal, Regd Office At L 102, Saket Extension Building, Agrasen Chowk, Bilaspur Chhattisgarh

**---- Respondents**

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|----------------|---|-------------------------------|
| For Petitioner | : | Shri Varun Sharma, Advocate   |
| For State      | : | Shri Ramakant Mishra, Dy.A.G. |

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**S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**12/05/2016**

Heard.

1. Learned counsel for the petitioner submits that against an order of suspension of registration of the petitioner, an appeal, in terms of provision contained in Clause 7.3 of memo dated 25.1.2014 (Annexure P-5), has been preferred by the petitioner on 20.6.2015 but the same has remained pending without any decision. It is submitted that as the matter relates to suspension of certificate, petitioner is unable to participate in the tender process for works of appropriate category.

2. The appeal of the petitioner has remained pending for quite some time. The same shall be decided within a reasonable time. The provision contained in Clause 7.5 of memo dated 25.1.2014 also stipulates that appeal has to be decided within a period of 60 days. Therefore, in these circumstances, when respondents themselves have fixed the period for decision of appeal, the petitioner's appeal ought to have been decided within the time stipulated.
3. Accordingly, a direction is required to be issued to respondent No.2 to decide petitioner's appeal within a period of 60 days from the date of receipt of copy of this order, on its own merits.
4. With the aforesaid direction, the petition is finally disposed off.

Sd/-  
(**Manindra Mohan Shrivastava**)  
Judge