

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2377 of 2016

Aashish Indurkar S/o S.R. Indurkar, Aged About 44 Years Civil Contractor,
Municipal Corporation Raipur R/o Ashwini Nagar, Deepak Kiraya Bhandar Raipur
Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administraiton Mahanadi Mantralaya Naya Raipur Post Office & Police Station Naya Raipur District Raipur Chhattisarh
2. Municipal Corporation, Raipur Through The Commissioner Municipal Corporation Raipur Chhattisgarh
3. Commissioner, Municipal Corporation Raipur Chhattisgarh
4. Zone Commissioner Municipal Corporation Raipur Zone 5, Ward 67, Khoobchand Baghel Ward Idgabhata Near Pani Tanki, Raipur Chhattisgarh

---- Respondents

Shri B.D.Guru, counsel for the petitioner/s.
Shri Bhaskar Payashi, Panel Lawyer for the State.
Shri Satish Gupta, Govt. Advocate for respondents 2 to 4 on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

26/09/2016

Heard.

Grievance of the petitioner, as ventilated through this petition is that though the petitioner was engaged by respondent / Corporation to carry out certain civil construction work in Ward No.67, Khubchand Baghel Ward, the bills of the petitioner have not been cleared.

2. Learned counsel for the petitioner submits that till date, no dispute has been raised nor any claim has been rejected by the respondent authorities. He submits that the petitioner has already made series of representations from 07/01/2016 upto 09/09/2016 for payment, but no payment has been made nor the claim has been rejected.

3. It is a matter of dispute between individual and the Corporation. Therefore, the respondent / Corporation, being the State, is required to act fairly. Whatever is the undisputed amount, is required to be paid at the earliest. Let respondents 2 to 4 get the entire claim of the petitioner examined and decision be taken in the case of the petitioner within a period of 10 weeks from the date of receipt of copy of this order.

4. The amount which is found to be payable according to respondents 2 to 4, shall be paid to the petitioner forthwith, not later than four weeks. However, if any claim of the petitioner is rejected, he shall be informed by a speaking order within that period of four weeks and thereafter, it will be open for the petitioner to take recourse to remedy as may be available to him under the law.

5. With the aforesaid observations / directions, this petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge