

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1690 of 2016

- Maa Danteshwari Decorators And Tent House Through Proprietor Pratima Das Wo S. Das aged about 62 years R/o Ward No.14, House No.87 Near Telephone Exchange, Main Road, Dantewada, District Bastar Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Public Works Department, Mantralaya, Mahanadi Bhawan, Naya Raipur Chhattisgarh
2. Collector, South Bastar, Dantewada, District Dantewada, (Chhattisgarh)
3. Executive Engineer (Officer), Public Works Department, South Bastar, Dantewada, District Dantewada, (Chhattisgarh)

---- Respondent

For Petitioners	Dr. Shailesh Ahuja, Advocate
For Respondent /State	Mr. Arun Sao, Dy. AG

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

05.07.2016

1. Heard finally with the consent of learned counsel for the parties.
2. In this petition under Article 226 of the Constitution of India, the petitioner, who had provided tender materials to the respondents on the basis of the Work Order issued and the rates approved by the Department, has prayed for a direction to the respondents to make payment of the undisputed amount.

3. Placing reliance on the orders passed by this Court in **WPC Nos.2182 of 2015, decided on 08.12.2015** and **Writ Appeal No.38 of 2015, decided on 19.02.2015**, (both relating to **Om Sai Traders & Tent House Vs. State of Chhattisgarh and others**), it is argued that whatever claim is admissible and undisputed, the respondents are duty bound to release the same, because, the petitioner had provided the service after acceptance of its tender vide order dated 25.04.2013 (Annexure P/1).
4. Considering the orders passed by this Court in aforesaid WPC No.2182 of 2015 and Writ Appeal No.38 of 2015, this writ petition is disposed of with direction that in the event, the petitioner prefers a fresh representation for releasing the undisputed amount under the bills submitted by it for the service rendered by providing tent materials during *Vikas Yatra*, 2013 pursuant to the order dated 25.04.2013 (Annexure P/1), the concerned Department shall decide the representation and make payment of the entire undisputed amount within a period of 06 weeks from the date of submission of representation.

Sd/-

Judge

(Prashant Kumar Mishra)