

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1354 of 2020**

M/s Sunil Kumar Singh Through Partner- Sunil Kumar Singh, S/o Late Shri Birendra Singh, Aged About 50 Years, R/o Jail Road Babupara, Ambikapur, P.S. Kotwali, District Surguja (Chhattisgarh), District : Surguja (Ambikapur), Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Water Resources Department, Mahanadi Bhawan, Atal Nagar New Mantralaya, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. The Engineer In Chief, Water Resource Department, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. The Chief Engineer, Water Resource Department, Hasdeo Kacchar Circle Ambikapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
4. The Superintending Engineer, Water Resource Department, Shyam Barnai Circle- Ambikapur, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
5. The Executive Engineer, Water Resource Department, Division- Baikunthpur, District Korea Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. Apoorva Tripathi, Advocate
For State	:	Mr. Jitendra Pali, Dy. AG

Hon'ble Shri Justice P. Sam Koshy
Order on Board

14/07/2020

1. The grievance of the petitioner in the present writ petition seems primarily in respect of non releasing of the security deposit lying with the respondents.
2. Contention of the petitioner is that he was awarded with the work order as the construction of work of civil nature in the 'Muddhowa Diversion Scheme'. According to the petitioner he had successfully completed execution of the work and he has also obtained completion certificate from the competent authorities as early as on 22.12.2015. It is further contended that final payment of bills also has since been settled, however, security deposit which was lying with the respondents has till date not been released. Counsel for the petitioner submits that he has repeatedly approached the authorities but for some reason or the other same is not finalized.
3. Learned Deputy Advocate General, however submits that from perusal of the record of writ petition there does not seem to be any application moved by the petitioner for release of his security deposit. That subject to the petitioner moving an application the same shall be considered in accordance with law. The State counsel also submits that since he is appearing on advance notice, he does not even have proper instructions whether there is any dispute in respect of work executed by the petitioner which has been found out or detected at a later stage.
4. Given the submissions made by the counsel appearing on either side, this Court is of the opinion, let petitioner approach respondents by filing a fresh representation in addition to any claim that he has put

forth earlier or any representation that he has made in the past in this regard.

5. Let such representation be made within a period of 15 days from the date of receipt of certified copy of this order and respondents are expected to process the same in accordance with rules and regulations governing the field and also taking into consideration the terms and conditions of agreement/contract entered into between the parties and finalize the representation particularly, in respect of release of security deposit at the earliest within an outer limit of 60 days.
6. With the aforesaid observations/directions, the writ petition stands disposed of.

**Sd/-
(P. Sam Koshy)
Judge**

Rohit