

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 1392 of 2020

M/s Shivangee Construction Company A-3 Class Contractor, Proprietorship Firm Having Its Office At Main Road, Sitamani Road, Korba, District - Korba Chhattisgarh. Through - Its Proprietor - Ajay Kumar Singh S/o Late Shri S. N. Singh, Aged - About 43 Years, A -3 Class Contractor, R/o Main Road, Sitamani Road, Korba, District - Korba Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through - Secretary, Public Works Department, Mahanadi Bhawan, Naya Raipur, District - Raipur Chhattisgarh.
2. Superintendent Engineer, Public Works Department, Bilaspur Division, Bilaspur, District - Bilaspur Chhattisgarh.
3. Chief Engineer, Public Works Department, Parikshetra - Bilaspur Chhattisgarh.
4. Executive Engineer, Public Works Department, Champa Division, District - Janjgir - Champa Chhattisgarh.

---Respondents

For Petitioner	:	Shri Sanjay Patel, Advocate.
For State	:	Shri Sidharth Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16.07.2020

1. The primary grievance of the petitioner in the present writ petition is the non releasing of the admitted dues to the petitioner who is A-3 Class Contractor.
2. According to the petitioner, he was issued with a work order for the construction of the Govt. Degree Girls College building at Janjgir WSSF with its electrification work which the petitioner had successfully completed in the year, 2013 itself. From the pleadings it also reflects that the completion certificate also has been issued by the department to the

petitioner, however, the final bills have not been settled by the respondents till date.

3. From the correspondences attached to the writ petition it also reflects that even in the year, 2018-19 the petitioner was made to run from pillar to post for getting the payments released, but the correspondences show that the payment could not be settled for want of administrative and financial sanctions from the higher authorities in the department.
4. The State counsel at this juncture submits that, let the petitioner approach the respondents once again and all his admissible dues and claims shall be settled at the earliest.
5. Given the submissions by the State counsel, this court is of the opinion that let the respondents scrutinize and consider the claim of the petitioner for releasing of his final dues against the work order executed by him in respect of an NIT issued on 23.08.2011 regarding construction of Govt. Girls Degree College Building at Janjgir WSSF with electrification. It is directed that the respondents should ensure that all admissible dues payable to the petitioner after due verification of the records should be released at the earliest preferably within a period of 90 days from the date of receipt of copy of this order. It is made clear that in case if the dues are not settled within 90 days, the petitioner would be entitled for interest on the admissible dues payable from the date it fell due till it is actually paid @ 6 percent per annum.
6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge