

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC NO. 2592 OF 2020**

Kamal Baiswal, S/o Late Bajrang Lal Baiswal, aged about 49 years, A-2 Grade Contractor, R/o Main Road, Naila, Ward No.5, Distt. Janjgir-Champa (CG)

... Petitioner(s)

versus

1. State of Chhattisgarh, through its Secretary, Department of Public Works, Mahanadi Bhawan, Mantralaya, Naya Raipur, Atal Nagar, Post Office & Police Station, Naya Raipur, Atal Nagar, District Raipur (CG)
2. Engineer-in-Chief, Public Works Department, Raipur, District Raipur (CG)
3. Chief Engineer, Public Works Department, Bilaspur Zone, Bilaspur (CG)
4. Superintending Engineer, Public Works Department, Bilaspur Zone, Bilaspur (CG)
5. Executive Engineer, Public Works Department, Champa Division, Champa, District Janjgir-Champa (CG)

... Respondent(s)

For Petitioner	:	Mr.Vivek Kumar Shrivastava, Advocate.
For Respondents/State	:	Mr. Siddharth Dubey, Dy. A.G.

Hon'ble Mr. Justice P. Sam Koshy

Order on Board

06.11.2020

1. Learned Counsel for Petitioner submits that despite completion of the work awarded to the Petitioner, which is proved by issuance of Work Completion Certificate (Annexure P-2) in the Petitioner's favour, the Respondents are not releasing the amount without there being any dispute between the parties.

2. Considering the entire facts situation of the case and the order passed by a Division Bench of this Court in W.A. No.38/2015 (Om Sai Traders and Tent House Vs. State of Chhattisgarh and others), decided on 19.2.2015, I deem it appropriate to dispose of the present Writ Petition with a direction that in case the Petitioner moves a representation before Respondent no.5 within a period of 4 weeks from today for releasing the subject payment, along with certified copy of this order, the concerned authority shall consider and decide the Petitioner's representation, at the earliest, by a speaking order within a period of two months from the date of submission of representation.

3. Learned Counsel for Petitioner at this juncture submits that their earnest money also has now been forfeited by the Respondents. Petitioner would be at liberty to represent the authorities on this issue which shall be considered and decided by the authorities in accordance with law.

4. Writ Petition accordingly stands disposed of with the aforesaid direction.

Sd/-
(P. Sam Koshy)
Judge

/Sharad/