

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.3078 OF 2021

Swayambhu Construction Pvt. Ltd.
Through Its Managing Director Shri
Abhay Madamwar, Yashwant Nagar,
Master Colony, Hinganghat,
Dist. Wardha

... Petitioner

-vs-

1. State of Maharashtra,
through Its Secretary, Public Works
Department, Murzban Road,
Opp. CST, Azad Maidan, Fort,
Mumbai, Maharashtra 400 001.
2. Chief Secretary, Tribal Development
Department, 1st Floor, Mantralaya,
(Extension Building), Madam Cama Road,
Hutatma Rajguru Chowk, Mumbai 32.
3. Superintendent Engineer,
Public Works Department,
Chandrapur.
4. Executive Engineer,
Public Works Department,
Wardha.
5. Chief Engineer,
Public Works Regional Office,
Nagpur

... Respondents.

Shri K. N. Shukul, Advocate for petitioner.
Smt H. N. Jaipurkar, Assistant Government Pleader for respondents.

CORAM : A. S. CHANDURKAR AND SMT M. S. JAWALKAR, JJ.
DATE : February 03, 2022

Oral Judgment : (Per: A. S. Chandurkar, J.)

Considering the nature of directions proposed to be issued, after

hearing the learned counsel for the parties, the writ petition is taken up for disposal.

Rule. Rule made returnable forthwith and heard learned counsel for the parties.

2. The petitioner-Firm claims that it has undertaken work of construction of road in Tahsil Samudrapur, District Wardha by virtue of three separate Work Orders issued by the respondent No.4. On completion of the aforesaid work, the petitioner claims to have submitted its bills for release of amount towards the work done. The communications dated 27/06/2019 issued by the respondent No.4 and 30/01/2020 issued by the respondent No.3 indicate that the work in question hklas been completed. The bills submitted by the petitioner on completion of the work are yet to be processed. Since there has been no progress in the matter, the petitioner has approached this Court seeking necessary reliefs.

3. The learned Assistant Government Pleader for the respondents initially sought time to file reply to the averments made in the writ petition. Attention was however invited to the representation made by the petitioner dated 13/07/2021 calling upon respondent Nos.2,3 and 4 to release the pending bills of the petitioner.

4. We find that the representation made by the petitioner to the respondent Nos.2,3 and 4 on 13/07/2021 has not yet been responded to. Since it is the case of the petitioner that the Work Order in question has been completed to the satisfaction of the Authorities, it would be for the said respondents to consider and decide the aforesaid representation dated 13/07/2021.

5. In view of aforesaid, the respondent Nos.2,3 and 4 are directed to take a decision on the petitioner's representation dated 13/07/2021 within a period of six weeks from the production of this order. The decision taken shall be communicated to the petitioner. Needless to state that if the grievance of the petitioner still remains un-redressed after such decision, it is free to take such steps as are permissible in law. Keeping the points raised in the writ petition open, the writ petition is disposed of. Rule accordingly. No costs.

(Smt M. S. Jawalkar, J.)

(A. S. Chandurkar, J.)