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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 1183 OF 2025

Shaikh Umar Farook Makbul

.. Petitioner

Versus

The State of Maharashtra & Ors.

.. Respondents

Mr. M. H. I. Patel i/by Mr. Imtiyaz Patel for petitioner.

Smt. Prachi Tatake, Addl. Govt. Pleader with Smt. Manisha Gawade, AGP for respondent nos.1 to 6 – State.

Mr. R. T. Sonar & Mr. Rajendra Tukaram Sonar, Sub Divisional Officer, Kurla PWD, present.

Mr. Ramesh Trimukhe, SD Officer, ESIS, present.

**CORAM: ALOK ARADHE, CJ. &
SANDEEP V. MARNE, J.**

DATE: 12th JUNE, 2025

ORAL ORDER [Per Chief Justice]:

1. Rule. Rule is made returnable forthwith. With the consent of the learned counsel for the parties, heard finally.

2. The petitioner is a proprietor of a registered Proprietary Concern and engaged into the construction and repair sector. In this writ petition, the petitioner seeks a direction to respondent nos. 2 to 6 to make payment of sum of Rs.7,22,704/- for the work executed by the petitioner in compliance of the work order dated 30th July, 2024.

3. Facts giving rise to filing of the present writ petition, briefly stated, are that the Executive Engineer issued tender

notice on 20th February, 2024. The petitioner submitted his bid and was declared as successful bidder. The work order was issued in favour of the petitioner on 30th July, 2024. The petitioner successfully completed the work. The work completion certificate was issued to the petitioner on 23rd September, 2024.

4. The grievance of the petitioner in this writ petition is that despite completion of the work and issuance of work completion certificate, payment of sum of Rs.7,22,704/-, which is due and payable to the petitioner has not been paid. Learned counsel for the petitioner submits that the petitioner is entitled to the amount in question as the petitioner has successfully executed the work.

5. The learned Additional Government Pleader submits that the respondents do not dispute that the petitioner has successfully completed the work and the work completion certificate was issued to the petitioner on 23rd September, 2024.

6. We have considered the rival submissions made on both the sides. Admittedly, the petitioner has successfully executed the work and the work completion certificate has been issued to the petitioner on 23rd September, 2024. The petitioner, therefore, is entitled to payment of the admitted amount which has been withheld without any rhyme or reason.

7. We, therefore, direct that the respondents to make payment of the aforesaid amount to the petitioner within an outer limit of six weeks. It is made clear that in case the

aforesaid amount is not paid within the outer limit of six weeks, the same shall carry interest at the rate of 6% from the date it became due till the said amount is paid.

8. Accordingly, the writ petition is disposed of.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)

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signed by
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DASHARATH
PANDIT
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