



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

WRIT PETITION NO. 1074 OF 2025

D.C.Kesharwani Contractors and Builders,
Through its Proprietor,
Dayashankar Chotelal Kesharwani,
Age @ 61 yrs., having its office at
1st Floor, Zilla Stadium Sankul,
Panchavati Road, Amravati,
Tq. & Dist. Amravati.

.... **PETITIONER.**

// VERSUS //

1. The State of Maharashtra, through
its Secretary for Public Works
Department, Mantralaya, Mumbai.
2. The Superintending Engineer,
Public Works Department,
Civil Lines, Nagpur.
3. The Executive Engineer,
Public Works Division,
Arvi, Dist. Wardha.

.... **RESPONDENTS.**

Shri S.M.Vaishnav, Advocate for Petitioner.
Shri Nitin Autkar, Advocate for Respondent Nos. 1 to 3.

CORAM : **ALOK ARADHE, CJ AND**
 ANIL S. KILOR, J.

DATED : **FEBRUARY 27, 2025**

ORAL JUDGMENT : (Per : Chief Justice)

1. Heard.

2. **RULE.** Rule made returnable forthwith. Heard finally by consent of the learned counsel for the parties.

3. In this petition, the petitioner, *inter alia*, seeks a direction to the respondents to decide the representations dated 21/03/2023 and 20/04/2023 in a time bound manner. The petitioner also seeks a direction to the respondents to refund the amount of Rs.5,00,000/- along with interest @ 18% per annum.

4. The facts giving rise for filing of this writ petition in nut shell can best be summarized as under:

The petitioner is engaged in a business of construction of building and the petitioner was awarded a contract for construction of Police Station at Ashti, Tahsil : Talegaon, District : Wardha. The approximate value of the contract was Rs.1,82,50,816/- and duration of the work was 12 months.

5. According to the petitioner, he has successfully completed the work allotted to him. However, according to the petitioner, a sum of Rs.5,00,000/- has been unauthorizedly deducted from E-final Bill.

Being aggrieved, the petitioner submitted representations on 21/03/2023 and 20/04/2024, respectively to respondent No.3- Executive Engineer, Public Works Division, Arvi, District : Wardha. However, the aforesaid representations have not been decided as yet.

6. The learned counsel for the petitioner submits that the writ petition be disposed of with direction to the Executive Engineer, Public Works Division, Arvi to decide the representation in time bound manner.

7. On the other hand, the learned Assistant Government Pleader submits that a suitable decision on the representation of the petitioner shall be taken within such time limit as may be fixed by this Court.

8. In view of the aforesaid submission and in the facts and circumstances of the case, the writ petition is **disposed of** with a direction to the respondent-Executive Engineer, Public Works Division, Arvi to decide the representation submitted by the petitioner, by a speaking order, within a period of six weeks from today.

9. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim of the petitioner as the same has to be examined by the respondent-Executive Engineer.

The writ petition is **disposed of**. Rule accordingly. No order as to costs.

11. The learned Assistant Government Pleader undertakes to communicate this order to the Executive Engineer, Public Works Division, Arvi, District : Wardha.

(ANIL S. KILOR, J)

(CHIEF JUSTICE)

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