
(2018) 02 KL CK 0059
In the High Court Of Kerala
Case No : 28313 of 2017

C.T. THAMBI

APPELLANT

Vs

KERALA WATER AUTHORITY & ORS

RESPONDENT

Date of Decision : 02-02-2018

Acts Referred:

Citation : (2018) 02 KL CK 0059

Hon'ble Judges : Shaji P.Chaly

Bench : Single Bench

Advocate : B.ASHOK SHENOY, K.V.GEORGE, P.N.RAJAGOPALAN NAIR,
P.S.GIREESH, MILLU DANDAPANI, P.BENJAMIN PAUL

Final Decision : Disposed off

Judgement

1. Petitioner is an "A" class Government contractor, registered with the first respondent. Petitioner has carried out the work for the respondents, namely, ""WSS to Karalam Panchayath in Mukundapuram Taluk of Thrissur District - construction of 6 LL capacity OH tank and other consequential works"". According to the petitioner, the work was completed in terms of the agreement, the bill amounts were paid, however, amounts retained to ensure charging and commissioning of the work carried out by the petitioner amounting to Rs.43,17,228/- is retained. According to the petitioner, charging and commissioning of the work carried out by the petitioner is already done, and therefore, petitioner is entitled to get back the said money from the respondents.
2. A statement is filed by respondents 1 to 4.
3. From the statement what I could gather is that, the claim raised by the petitioner in this writ petition is not under much dispute, however, it is

stated that, in the present financial situation of the respondents, it is expected that the bill can be settled at any rate within one year.

4. Having heard learned counsel for the petitioner and learned standing counsel for the respondents and perusing the pleadings and documents on

record, I am of the considered opinion that , necessary directions cane given to the respondents to dispose of the above specified amounts.

5. Learned standing counsel for the water authority submitted that, the amounts would be repaid in 5 monthly instalments.

6. However, taking into account the pressing needs projected the petitioner and also taking into account that there is no dispute with respect to the

amount to be paid to the petitioner, the authority can be directed to pay back the amount in three consecutive monthly instalment starting from

25.2.2018 and on the corresponding date of the succeeding months. Accordingly I direct so. Writ petition is disposed of accordingly.