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**(2013) 01 AHC CK 0294**  
**In the Allahabad High Court**

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|--------------------------------------------------------------|------------|
| Data Technosys (Engineers) Pvt.Ltd.Thr.Prop.D.D.S.Chopra     | APPELLANT  |
| Vs                                                           |            |
| U.P.State Bridge Corp.Ltd.Thr.Its Managing Director & Others | RESPONDENT |

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**Date of Decision :** 23-01-2013

**Acts Referred:**

**Citation :** (2013) 01 AHC CK 0294

**Hon'ble Judges :** Shiva Kirti Singh;ACJ, J

**Final Decision :** Disposed Of

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## Judgement

Devendra Kumar Arora, J.

Heard learned counsel for the petitioner, learned counsel for U.P. State Bridge Corporation Ltd. and its Managing Director, opposite parties no.1 and 2.

The opposite party no.3, U.P. Rural Road Development Agency (U.P. R.R.D.A.) has been impleaded only because according to the stand of opposite parties no.1 and 2, they shall pay the admitted dues of the petitioner for the works done by it on receipt of certain dues payable by opposite party no.3 to opposite parties no.1 and 2.

Since U.P.R.R.D.A. is a governmental agency and U.P. State Bridge Corporation Ltd. is also an instrumentality of State of U.P., we do not want to enter into any kind of settlement between the opposite parties and instead, we direct that if the opposite party no.3 does not pay its lawful dues to opposite parties no.1 and 2, within a reasonable period of a month or two, the opposite parties no.1 and 2 shall approach the Chief Secretary, State of U.P., who shall constitute a committee to resolve any difference relating to payment under consideration, between the opposite parties no.1 and 2 on one hand and opposite party no.3 on the other hand.

So far as the claim of petitioner is concerned, learned counsel for opposite parties no.1 and 2 has submitted that 60% of total outstanding only can be paid at the present stage and 40% of the dues become payable only when the work is finally approved by the U.P.R.R.D.A.

Since the claim of petitioner is pending since 2009, we direct the opposite parties no.1 and 2 to pay the admitted dues upto 60% within three months. It is expected that opposite party no.3 being a governmental agency shall act reasonably and settle its dues with opposite parties no.1 and 2, within the aforesaid period of three months.

The writ petition is disposed of accordingly.