

(2020) 11 KL CK 0155

In the High Court Of Kerala

Case No : Writ Petition (Civil) No. 16555 Of 2020 (T)

E.M. Paulose

APPELLANT

Vs

Kerala Water Authority And Ors

RESPONDENT

Date of Decision : 26-11-2020

Acts Referred:

Citation : (2020) 11 KL CK 0155

Hon'ble Judges : N. Nagaresh, J

Bench : Single Bench

Advocate : Joby Jacob Pullickekudy, Anil George, P. Benjamin Paul, Rashmi K.M

Final Decision : Disposed Of

Judgement

1. Petitioner, who is a registered A Class Government Contractor carrying out contract works for the Kerala Water Authority, is before this Court

seeking to command the respondents to pay the bill amount mentioned in Ext.P3 final bill.

2. The petitioner contends that the petitioner quoted tender work of 'KIIFB-WSS to Perunadu and Athikkayam Villages-Phase II-Package I-supplying

and laying and laying Distribution System in Zone-I to VII laying CWPM from Sump near TP to Sump at Mannampuzha LL and CWPM from

Mannampuzha LL to HL' and completed the work on 02.05.2019. The 3rd respondent has issued Ext.P3 final bill also. However, the bill has not been settled.

3. During the pendency of the writ petition, the respondents have disbursed substantial amounts towards Ext.P3 bill.

4. Learned Standing Counsel for the 1st respondent submits that there are some disputes with regard to payment of balance amount as the Kerala

Infrastructure Investment Fund Board has raised objections regarding certain items in the final bill. The Standing Counsel submitted that the petitioner has already filed Ext.P6 representation before the 2nd respondent for payment of Ext.P3 bill and the same can be considered and appropriate decision can be taken within a period of one month.

5. Heard.

6. In view of the statement of the Standing Counsel for the 1st respondent that the KIIFB has raised certain doubts regarding the eligibility of the petitioner to receive the full amount claimed as per Ext.P3, it is necessary that such objections be considered by the respondents and a decision be taken.

In such circumstances, the writ petition is disposed of directing the 2nd respondent to consider Ext.P6 representation submitted by the petitioner and pass appropriate orders thereon taking into account all the facts and circumstances of the case. Such order shall be passed after giving an opportunity of hearing to the petitioner, within a period of six weeks. Consequential steps pursuant to such order shall be taken and completed within a further period of two months.