

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE V.G.ARUN

TUESDAY, THE 18TH DAY OF OCTOBER 2022 / 26TH ASWINA, 1944

WP(C) NO. 5032 OF 2021

PETITIONER:

AZAD K.B.
AGED 40 YEARS
S/O.A.K.BASHEER, 'PROPRIETOR', TECH AND MECH ENGINEERING,
VADACKAL P.O., KALARCODE, ALAPPUZHA DISTRICT, PIN 688 003,
RESIDING AT KANJIRANGATTUVELI HOUSE, VADACKAL P.O.,
KALARCODE, ALAPPUZHA DISTRICT PIN 688 003.

BY ADVS.
S.JAYAKRISHNAN
SRI.S.PARAMESWARA PRASAD
SMT.S.USHA KUMARI

RESPONDENTS:

- 1 KERALA WATER AUTHORITY
REP.BY ITS MANAGING DIRECTOR, JALABHAVAN,
VELLAYAMBALAM P.O., THIRUVANANTHAPURAM, PIN 695 010.
- 2 THE CHIEF ENGINEER
KERALA WATER AUTHORITY, JALABHAVAN, THIRUVANANTHAPURAM,
PIN 695 010.
- 3 THE EXECUTIVE ENGINEER
KERALA WATER AUTHORITY, PH DIVISION, THIRUVALLA,
PATHANAMTHITTA DISTRICT. PIN 689 101.
- 4 ADDL.R4.ASSISTANT EXECUTIVE ENGINEER
KERALA WATER AUTHORITY, SUB DIVISION, EDATHUA,
PATHANAMTHITTA DISTRICT PIN - 689573.
- 5 ADDL.R5. THE ASSISTANT ENGINEER
EDATHUA SECTION OFFICE, EDATHUA PATHANAMTHITTA DISTRICT
PIN - 689573.
- *6 ADDL.R6: THE ASSISTANT ENGINEER
KIDANGARA SECTION OFFICE, KIDANGARA, ALAPPUZHA DISTRICT
PIN 686102

*ADDL.R6 IS IMPEADED AS PER ORDER DATED 12.08.2022 IN IA
1/2021 IN WPC NO.5032/2021.

BY ADVS.
SC P.M. JOHNNY, STANDING COUNSEL, WATER AUTHORITY
BIJILY JOSEPH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
18.10.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 18th day of October, 2022

The petitioner executed certain works for the Kerala Water Authority and raised Ext.P1 bill. The grievance of the petitioner is regarding delay on the part of the Water Authority in honouring the bill.

2. Learned Standing Counsel for the Water Authority submitted that the amount due to the petitioner, except the retention amount can be paid. It is pointed out that the retention amount will be disbursed only after the guarantee period is over.

The writ petition is accordingly disposed of, directing the competent among respondents to disburse the amount due to the petitioner for the works executed, except the retention amount, within an outer limit of three months of receipt of a copy of this judgment.

Sd/-

V.G.ARUN

JUDGE

NB/18-10

APPENDIX OF WP(C) 5032/2021

PETITIONER'S EXHIBITS

- EXHIBIT P1** TRUE COPY OF THE DETAILS OF PAYMENT DUE TO THE PETITIONER BASED UPON THE BILLS REGISTERED WITH THE 3RD RESPONDENT.
- EXHIBIT P2** TRUE COPY OF THE JUDGMENT IN W.P.(C) NO.15821 OF 2020 DATED 7.9.2020 OF THIS HON'BLE COURT.
- EXHIBIT P3** TRUE COPY OF ORDER NO.8285/F1 C (FUNDS)/2020/KWA DATED 17.2.2021 PASSED BY THE 1ST RESPONDENT.

RESPONDENTS' EXHIBITS: NIL

TRUE COPY

P.A. TO JUDGE