

Devraj. D vs Kerala Water Authority

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Court : Kerala

Decided On : Feb-01-2024

Judge : Honourable Mr. Justice Devan Ramachandran

Appeal No. : WP(C)/3371/2024

Appellant : Devraj. D

Respondent : Kerala Water Authority

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN THURSDAY, THE 1ST DAY OF FEBRUARY 2024 / 12TH MAGHA, 1945 WP(C) NO. 3371 OF 2024 PETITIONER: DEVRAJ. D AGED 64 YEARS, S/O. DEVADASAN, USHAS, VETTUKNDU, KULATHOOR, UCHAKADA P.O., THIRUVANANTHAPURAM, PIN - 695506 SMT.DIVYA RANI K. RESPONDENTS: 1 KERALA WATER AUTHORITY JALABHAVAN, VELLAYAMBALAM, THIRUVANANTHAPURAM, PIN - 695010 REPRESENTED BY THE MANAGING DIRECTOR 2 SUPERINTENDING ENGINEER PH. CIRCLE, KERALA WATER AUTHORITY, 3 THE EXECUTIVE ENGINEER WATER SUPPLY DIVISION, NEYYATTINKARA, PIN -

695121 4 THE FINANCE MANAGER KERALA WATER AUTHORITY, JALABHAVAN VELLAYAMBALAM, SRI.GEORGIE JOHNY, SC THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01.02.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: :2:

JUDGMENT

The request of Smt.Divya Rani K. - learned counsel for the petitioner, that the respondents be directed to release the amounts covered by Exts.P2 to P8, along with refund of 2% GST, to her client - with respect to two contracts which he has completed successfully - within a time frame to be fixed by this Court, was responded to by Sri.Georgie Johny - learned Standing Counsel for the Kerala Water Authority, saying that all action to verify the said bills are underway and that payment against it will be disbursed not later than six months from today

2. When I consider the afore submissions, it is clear that,

as of now, there are no disputes between the parties qua the bills of the petitioner; though verification of the same may certainly require some time. I, therefore, deem it appropriate to fix a time frame between the suggestions made by the learned counsel for the parties, so as to obtain a balance between their rival interests.

3. In the afore circumstances, I direct the competent

Authority of the Kerala Water Authority to take up the bills of the petitioner and disburse eligible amounts against it, along :3: with eligible GST, as expeditiously as is possible, but not later than four months from the date of receipt of a copy of this

judgment.

This Writ Petition is thus ordered. Sd/- DEVAN RAMACHANDRAN JUDGE anm :4: APPENDIX OF WP(C) 3371/2024 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE NAME OF THE WORK DATED NIL Exhibit P2 TRUE COPY OF THE MAINTENANCE WORK OF THE ROUTE FROM RWSS TO VALIYAKULAM,

AYIRA, VIRALI, UCHAKADA, POOZHIKUNNU AND KUZHINJANVILA FOR ONE YEAR FOR THE PERIOD OF 2019- 2020 AND A COPY OF THE FIRST CB3 VOUCHER DATED 06.08.2020 Exhibit P3 TRUE COPY OF THE MAINTENANCE WORK FOR THE RECTIFICATION OF LEAKAGES OF PIPELINES FOR ONE YEAR IN THE ROUTE FROM RWSS TO VALIYAKULAM, AYIRA, UCHAKADA, POOZHIKUNNU FOR THE PERIOD OF 2019-2020 AND A COPY OF THE SECOND CB3 VOUCHER DATED 28.06.2021 Exhibit P4 NOTE FILE FROM KERALA WATER AUTHORITY, WATER SUPPLY DIVISION, NEYYATTINKARA. (NO.KWA/WSD/NTA/AB3-123/2019/RC) DATED 28.02.2021 Exhibit P5 TRUE COPY OF CIRCULAR ISSUED BY THE FINANCE (INDUSTRIES AND PUBLIC WORKS) DEPARTMENT WITH CIRCULAR NO. 90/2017/FIN THIRUVANANTHAPURAM DATED 14.12.2017) DATED 14.12.2017 Exhibit P6 TRUE COPY OF THE FIRST CB3 VOUCHER DT. 05.05.2022 THE RECTIFICATION OF LEAKAGE OF PIPELINES FROM RWSS TO VALIYAKULAM, VIRALI, UCHAKADA, POOZHIKUNNU FOR ONE YEAR FOR THE PERIOD OF 2020- 2021 AND A COPY OF THE FIRST CB3 VOUCHER Exhibit P7 TRUE COPY OF THE MAINTENANCE WORK FOR THE RECTIFICATION OF LEAKAGES OF PIPELINES IN THE ROUTE FROM RWSS TO VALIYAKULAM, VIRALI, UCHAKADA, POOZHIKUNNU FOR ONE YEAR FOR THE PERIOD OF 2020-2021 AND A COPY OF THE SECOND CB3 VOUCHER DATED 25.05.2022 Exhibit P8 TRUE COPY OF NOTE FILE FROM KERALA WATER AUTHORITY, WATER SUPPLY DIVISION, NEYYATTINKARA NO.KWA/WSD/NTA/DB1/2020/2728 DATED 16.05.2022 RESPONDENTS' EXHIBITS : NIL.

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