

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1928 of 2023**

- Manraj Maurya S/o. Shri Sukkhu Ram Maurya, Aged About 48 Years
R/o. Ward No. 18, Mohan Nagar, Haldibadi (Chirmiri), District Korea
Chhattisgarh

---- **Petitioner****Versus**

1. Municipal Corporation, Chirimiri Through The Commissioner,
Chirmiri, District Mcb Chhattisgarh
2. The Commissioner, Municipal Corporation, Chirmiri, District Mcb
Chhattisgarh

---- **Respondents**

For Petitioner : Mr. N. Naha Roy, Advocate.

For State : Mr. Ghanshyam Patel, Govt. Advocate.

Hon'ble Shri Justice Parth Prateem Sahu**Order On Board****31/08/2023**

1. Petitioner has filed this writ petition seeking following reliefs:-

“10.1 This Hon'ble Court may please to direct the respondents, particularly the respondent No.2 herein to honour the final bill and release the amount lying with respondents towards payment of the same, as duly certified by the officials of the respondents as explained hereinabove, forthwith.

10.2 This Hon'ble Court may direct the respondents, particularly the respondent No.2 herein to award simple interest @ 9 % per annum over the amount of difference of bills from the period of completion of work till date of actual payment.”

2. Learned counsel for the petitioner submits that the petitioner was awarded the work of construction of Toilets and affixing the doors under the Swachcha Bharat Abhiyan by different work orders. Petitioners has successfully completed the work awarded to him and the satisfaction with the work according to the norms was also endorsed by supervisory authority Sub-engineer and Executive Engineer of respondent No.1. Petitioner has completed entire work in the year 2018, however, respondents have not disbursed the entire amount towards the work, in particular the amount towards the installation of the door. He contented that the petitioner thereafter made several representations lastly on 21.2.2023, none of the representations were replied by the respondents nor they have taken any action till date and, therefore, the respondents be directed to release the amount of undisputed claim of the petitioner expeditiously.
3. Learned counsel for respondent submits that though, several opportunities are given by this Court, however, reply could not be filed but as per his oral instruction, the officers, who have made endorsement with regard to the satisfactory work completed by the petitioner are now not posted with respondent No.1 as they have been transferred. He contended that as per instruction the said Officers made endorsement without technical approval and therefore the claim of the petitioner is not finalized till date.
4. I have heard learned counsel for respective parties and perused the documents annexed with the record.
5. Grievance of the petitioner in this case is that the petitioner pursuant to the work order issued in his favor has successfully completed the

work and the officers of the respondent department i.e. Sub-engineer and Executive Engineer have made endorsement in this regard. The petitioner has already submitted representations but as stated none of the representations is considered and decided, hence, I am of the view that no useful purpose will be served in keeping this writ petition pending, awaiting response from respondents, and it will be in the interest of the parties to dispose of the case directing respondents to take decision on the claim and the petitioner's representation at the earliest.

6. Consequently, this writ petition is disposed of directing respondents to take decision on the representation submitted by petitioner in accordance with law expeditiously preferably within a period of 60 days from the date of receipt of the order passed by this Court. If after considering the representation the respondent comes to conclusion that the petitioner has completed the work according to the terms and conditions of the contract or the work order then the respondent shall further disburse the entire amount in favor of the petitioner at the earliest.
7. Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
JUDGE