

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR.JUSTICE N.NAGARESH
TUESDAY, THE 21ST DAY OF APRIL 2020 / 1ST VAISAKHA, 1942
WP(C) NO. 8679 OF 2020**

Petitioner:

M/s. P.K.K. Constructions (Engineers & Contractors)
Keezhuparamba post, Areacode, Malappuram.
Represented by its Managing Partner
P.K. Kammadkutty, Aged: 62 , S/o. Late. Muhammed Haji,
Residing at: Kolathikkal House, Keezhuparambu,
Areekode Via, Malappuram District. -673639

By Adv.V.Philip Mathew

Respondents:

1. State of Kerala, Represented by its Chief Secretary,
Kerala Government Secretariat, Thiruvananthapuram - 695 001
2. The Principal Secretary, Public Works Department
Kerala Government Secretariat, Thiruvananthapuram - 695 001
3. The Executive Engineer, Office of the Executive Engineer
PWD Bridges Division , Kannur-670 001.
4. The Superintending Engineer, Office of Superintendent Office
PWD Bridges , North Circle, Kozhikkode -673 647.
5. The Superintending Engineer, PWD Bridges,
South Circle, Alappuzha -688 007.

By Government Pleader Sri. Bijoy Chandran

This writ petition having come up for admission on 21.04.2020, the court on the same day passed the following.

ORDER

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Dated this the 21st day of April, 2020

Government Pleader takes notice for the respondents. There will be an interim order as prayed for. The learned Government Pleader submits that ₹69,11,335/- is the amount due under the 6th Bill of the petitioner. The petitioner will be given the benefit of the said amount and the petitioner shall remit the balance amount required, towards security or other deposits. On payment of the balance amount, the respondents shall permit the petitioner to execute necessary agreement.

Post the writ petition on 19.05.2020.

N. NAGARESH, JUDGE

APPENDIX

Petitioners Exhibits:-

- Exhibit P1: Copy of the letter dated 16-04-2018 from the 4th respondent to the Petitioner relating to construction of Thottukara bridge in Kasargod District
- Exhibit P2: Copy of the letter dated 16-03-2020 from the 3rd respondent mentioning pending bills relating to Exhibit P1
- Exhibit P3: Copy of letter of acceptance dated 13-03-2020 from the 5th respondent relating to KRFB, AlapPuzha road improvement
- Exhibit P4: Copy of the letter dated 12-03-2020 from the 4th respondent to the Petitioner informing that pledged bills cannot be replaced
- Exhibit P5: Copy of the representation dated 16-03-2020 from the Petitioner to the 5th respondent for accepting pending bills as security deposit
- Exhibit P6: Copy of the letter dated 17-03-2020 from the 5th respondent rejecting Exhibit P5
- Exhibit P7: Copy of Judgment dated 25-02-2020 in W.P(C)No.3457/2020 directing respondents 1 and 2 to adjust unpaid bills to cover amount towards security deposit and performance guarantee