

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

W.P.(C) No. 4076 of 2022

2023:JHHC:30205-DB

M/s Sri Sai Krishna Constructions, Hyderabad, through its authorised signatory,
Jeetendra Kumar

..... Petitioner

Versus

The State of Jharkhand & Others

..... Respondents

CORAM**HON'BLE MR. JUSTICE RAJESH SHANKAR**

For the Petitioner:

Mr. Rajesh Kumar

For the State:

Mr. J. F. Toppo, G.A-V

04/14.12.2022 A counter affidavit on behalf of the respondent Nos. 2 to 4 has been filed stating inter alia that the petitioner did not complete the work at five spots and demanded work completion certificate vide letter No. 21C/SSKC/WWD-2 Chainpur/19-20 dated 04.09.2019 wherein it itself admitted the same. The works which were not completed by the petitioner are as under:

Sl. No.	Village	Chainage	Length	Remarks
LMC				
1.	Mundhar	Km. 0.270 to 0.360	90 mt.	Hard Rock existed
2.	Mundhar	Km. 0.820 to 0.823	3 mt.	Villagers demanded FB
3.	Mundhar	Km. 8.650 to 8.664	14 mt.	Villagers demanded VRB
RMC				
1.	Chaptoli	Km. 2.860 to 2.875	15 mt.	Villagers demanded VRB
2.	Taintoli	Km. 4.500 to 4.510	10 mt.	Villagers demanded VRB

It has been further stated in the said counter affidavit that in response to the aforementioned letter dated 04.09.2019 of the petitioner, the respondent No.4 vide letter No. 378/A Chainpur dated 06.09.2019, granted the work completion certificate to the petitioner, subject to the condition that the works at five spots which were not completed, would be completed by it during defect liability period.

Mr. Rajesh Kumar, learned counsel for the petitioner, invites attention of the Court towards the minutes of the meeting dated 27.07.2021 (Annexure-6 to the writ petition) presided over by the Chief Engineer, Water Resources Department, Government of Jharkhand, Ranchi (the respondent No.2) wherein at agenda 5, it was resolved that the agreement in question with the petitioner



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should be closed and the process with respect to final bill should be completed within 15 days and for construction of eight remaining structures, the process should be initiated separately. It is also submitted that pursuant to the said resolution, a fresh tender being Tender Reference No. 02F2/EEWD-2/Chainpur-Gumla/2021-22 has also been floated for construction of remaining eight structures. It is thus highly unjustified on the part of the respondents in not releasing the security amount as well as the amount of bonus in favour of the petitioner.

Considering the said resolution taken in the minutes of the meeting dated 27.07.2021, let a personal affidavit on the said issue be filed by the respondent No.2.

Put up this case after three weeks under the same heading.

Satish/-

(RAJESH SHANKAR, J)