



2026:CGHC:18526

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1820 of 2026

1 - Dayashankar Patel S/o Shri Shyamlal Patel Aged About 47 Years
R/o Village Nained Rajapara, Tahsil Bijapur District Bijapur (C.G.)

... **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through Secretary Department Of Public Works, Mantralaya Mahanadi Bhawan Atal Nagar, Nawa Raipur, District Raipur (C.G.)

2 - Engineer-In-Chief Public Works Department, Indrawati Bhawan Atal Nagar, Nawa Raipur, District Raipur (C.G.)

3 - Collector Bijapur, District Bijapur (C.G.)

4 - Chief Engineer Public Works Department, Bastar Division Jagdalpur, District Bastar (C.G.)

5 - Superintendent Engineer Public Works Department, Bastar Division, Jagdalpur, District Bastar (C.G.)

6 - Executive Engineer Public Works Department, Bijapur District Bijapur (C.G.)

... **Respondent(s)**

(Cause Title is taken from CIS System)

For Petitioner : Mr. Sourabh Sahu, Advocate

For State : Mr. Anand Dadariya, Dy. Advocate General



Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

23/04/2026

1. The petitioner has filed this writ petition seeking following reliefs:

“10.1 That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to consider the representation of the petitioner and release the payment of Rs.42,43,000/- with interest of 12% per annum in favor of the petitioner.

10.2 Any other relief, which this Hon'ble Court deems fit and proper, may also kindly be granted to the petitioner, in the interest of justice.”

2. Facts of the case, as projected in the petition, are that the petitioner has approached this Court stating that he is a registered 'A' Class contractor bearing Unique Identification Number CGeR07961 and is engaged in execution of Government construction works. During the Covid-19 pandemic, respondent No. 6 approached the petitioner for construction of isolation wards along with toilets at the Polytechnic College, Bhopalpattnam, in view of the urgent public health requirements. Pursuant thereto, the petitioner submitted an estimate, which was duly forwarded by respondent No. 6 to respondent No. 5 vide communication dated 14.08.2020. It is the case of the petitioner that upon receipt of approval from the competent authorities, the construction work



was assigned to the petitioner and the same was completed within time. After completion of the work, the competent authority issued a Work Completion Certificate and the petitioner submitted his bills for release of payment. Thereafter, respondent No. 3, vide letter dated 07.09.2021, directed respondent No. 2 to obtain necessary administrative approval from the State Government and to release the due payment to the petitioner. In compliance thereof, respondent No. 2 forwarded the proposal to respondent No. 1 on 11.10.2021 for sanction and disbursement of payment. The proposal was again processed and forwarded between the authorities, including communication dated 15.12.2021. It is further stated that despite repeated representations made by the petitioner over the years, the payment has not been released till date. The petitioner has also obtained a Utility Certificate dated 08.09.2025 and respondent No. 6 has again sought instructions from higher authorities on 14.07.2025 for release of payment. However, even after lapse of more than five years from completion of the work, the amount due to the petitioner has not been disbursed, compelling the petitioner to approach this Court.

3. Learned counsel for the petitioner submits that the petitioner had undertaken and completed the construction of isolation wards and toilets at Polytechnic College, Bhopalpattnam, during the Covid-19 period at the instance of the respondent authorities. It is contended that the work has been duly completed to the satisfaction of the authorities, and Work Completion Certificate as



well as Utility Certificate have already been issued in favour of the petitioner. It is further submitted that despite submission of bills and repeated representations, the payment has not been released on the ground that administrative sanction from the State Government is awaited. Learned counsel submits that even though specific directions have been issued by the competent authorities to obtain such sanction and process the payment, no final decision has been taken till date. Learned counsel thus submits that the petitioner has been unnecessarily made to run from pillar to post for release of legitimate dues for the work executed as far back as in the year 2020, and such inaction on the part of the respondents is arbitrary and illegal. Accordingly, the petitioner is seeking a limited direction to the concerned authorities to obtain necessary administrative sanction and to disburse the due amount in favour of the petitioner within a stipulated time.

4. Learned State counsel opposes the submissions and contends that the payment to the petitioner is subject to grant of requisite administrative and financial sanction by the competent authority, which is still under process. It is submitted that mere execution of work does not entitle the petitioner to automatic release of payment unless due procedure and approvals are complied with. It is further contended that there is no deliberate delay on the part of the respondents and the claim of the petitioner shall be



considered in accordance with law and availability of budgetary provisions.

5. I have heard learned counsel for the parties and have perused the documents enclosed along with the petition.
6. From the pleadings and documents placed on record, it is not in dispute that the petitioner, being a registered contractor, has carried out construction of isolation wards and toilets at Polytechnic College, Bhopalpattnam during the Covid-19 period at the instance of the respondent authorities. It is further evident that the work has been completed and Work Completion Certificate as well as Utility Certificate have also been issued in favour of the petitioner. The only impediment in release of payment appears to be the pendency of administrative and financial sanction from the competent authority. It is also borne out that the respondents themselves have taken steps for obtaining such sanction by forwarding the proposal to the competent authority, however, the same has not yet culminated into a final decision.
7. Considering the aforesaid aspect of the matter, this Court is of the view that the application/representation filed by the petitioner is required to be considered by the respondent authorities in accordance with law. Since the execution of the work by the petitioner is not in dispute, the respondents are under an obligation to process the matter further in terms of applicable procedure.



8. Accordingly, the present petition is disposed of with a direction to the concerned respondent authorities to consider the case of the petitioner, to obtain necessary administrative/financial sanction from the competent authority, and thereafter to release the admissible amount in favour of the petitioner, expeditiously, in accordance with law.
9. No order as to costs.

Sd/-

**(Amitendra Kishore Prasad)
Judge**

Shayna