

Pradeep Kumar versus State of H.P. and others

CWPIL No.7 of 2025

Item No.D-20
27.08.2025

Present: Mr. Amit Singh Chandel and Mr. Abhinav Mehta, Advocates, for the petitioner.

Ms. Priyanka Chauhan, Deputy Advocate General, for respondents No. 1 to 8-State.

Mr. N.S. Chandel, Senior Advocate, with Mr. Vinod Kumar Gupta, Advocate, for respondent No.9.

Mr. Rakesh Thakur, Executive Engineer, HPPWD Chopal Division present in person with record.

Counsel for the State has placed on record communications dated 14.08.2025 and 17.08.2025.

2. We have gone through both the communications.

3. Perusal of the same would go on to show that a penalty of 10% was levied upon respondent No.9 to the tune of Rs.18.06 Lakh under Clause-3 of the Contract Agreement and directions were issued to complete the work.

4. Further, the communication dated 14.08.2025 would also go on to show that the contract, as such, was supposed to be completed

by 17.02.2020 having been awarded on 02.02.2018. It is in such circumstances, the recommendation is made to terminate the contract of the said respondent and liquidated damages are to be recovered from the contractor from any other liability/security pledged with the office.

5. Thus, we are of the considered opinion that though counsel for respondent No.9 has submitted that on account of COVID-19, the work had delayed, but we are not satisfied with the said explanation, since even after the said Pandemic period of more than 3 ½ years has passed.

6. It is only in such circumstances, counsel undertakes that the work will be completed expeditiously within a period of two months.

7. It is made clear that, in case, needful is not done, the State shall take active steps to terminate the contract, so that a fresh Contractor can be engaged to complete the work of Community Health Centre Building Kupvi, District Shimla, which is stated to be backward area of Tehsil Chopal, District Shimla.

8. It is further submitted that the people of the said area had been adversely affected on account of non-completion of said work. It is in such circumstances, the State is unable to provide the basic Health services to the residents of the said area.

9. List the matter on **29th October, 2025.**

10. In the meantime, the State shall also take necessary steps for posting adequate staff in the said area.

(G. S. Sandhawalia)
Chief Justice

27th August, 2025
[himani/shivender]

(Ranjan Sharma)
Judge