



2025:KER:19076

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE C.S.DIAS

THURSDAY, THE 6TH DAY OF MARCH 2025 / 15TH PHALGUNA, 1946

WP(C) NO. 24527 OF 2024

PETITIONER/S:

M/S. STREFA PROJECTS PRIVATE LTD
PLOT NO. 34, EASWARAIAH ENCLAVE, DAMMAIGUDA,
HYDERABAD, TELANGANA STATE - 500 062, REPRESENTED BY
ITS, DIRECTOR, P. CHANDRABABU, S/O. P, DASTAGIRI,
PIN - 500062

BY ADVS.
GEORGE MATHEW
SUNIL KUMAR A.G
MATHEW K.T.
GEORGE K.V.
STEPHY K REGI
MEDHA B.S.

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY, WATER RESOURCES
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 KERALA WATER AUTHORITY
REPRESENTED BY ITS MANAGING DIRECTOR, HEAD OFFICE,
JALABHAVAN, VELLAYAMBALAM, THIRUVANANTHAPURAM, PIN -
695033
- 3 SUPERINTENDING ENGINEER
KERALA WATER AUTHORITY, PUBLIC HEALTH CIRCLE,
KANNUR, PIN - 670012
- 4 THE EXECUTIVE ENGINEER
, PROJECT DIVISION, KERALA WATER AUTHORITY, KANNUR,
PIN - 670006



2025:KER:19076

- 5 THE EXECUTIVE ENGINEER
P.H. DIVISION, KERALA WATER AUTHORITY, KASARGOD, PIN
- 671123
- 6 THE SUPERINTENDING ENGINEER
OFFICE OF THE SUPERINTENDING ENGINEER, KERALA WATER
AUTHORITY, P.H. CIRCLE, KALMANDAPAM, PALAKKAD
DISTRICT, PIN - 678001
- 7 THE EXECUTIVE ENGINEER
OFFICE OF THE EXECUTIVE ENGINEER, PROJECT DIVISION,
KERALA WATER AUTHORITY, CHITTOOR, PALAKKAD DISTRICT,
PIN - 678101

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06.03.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



C.S.DIAS, J.

WP(C) No. 24527 OF 2024

Dated this the 6th day of March, 2025

JUDGMENT

The writ petition is filed to direct the respondents to permit the substitution of Ext.P2 series of treasury deposits with bank guarantee for the like sum within a time period.

2. The petitioner has been awarded with the works covered by Ext.P1 series selection notices. As per the selection notices, the petitioner had produced performance guarantee in the form of Ext.P2 series treasury deposits. The work has not progressed as the respondents have not received the road cutting permits and lack other facilities. Therefore, the petitioner may be permitted to substitute Ext.P2 series treasury deposits with bank guarantee. By Ext.P3 judgment, this Court has permitted the above course to be followed. The petitioner is entitled to the benefit of a similar judgment. Hence, the writ petition.



3. Heard; the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

4. The learned Standing Counsel appearing for the respondents submitted that the substitution can be permitted only if the petitioner undertakes to offer 50% of the bank guarantee in cash within seven days of the 2nd respondent Authority intimating the petitioner that the road cutting permit is received.

On a consideration of the facts and the materials on record, and the rival submissions made across the Bar, I dispose of the writ petition by permitting the petitioner to make a written request for substitution of Ext.P2 series treasury deposits with bank guarantee with an undertaking that substituted bank guarantees would be replaced with cash within seven days of the 2nd respondent authority intimating receipt of road cutting permit/removal of obstructions for continuing the work. On the petitioner submitting the written request, the competent among the respondents shall grant permission to the petitioner to substitute Ext.P2 series treasury



2025:KER:19076

deposits with the bank guarantee. The above exercise shall be carried out within ten days from the date of production of a certified copy of this judgment.

The writ petition is ordered accordingly.

Sd/-

C.S.DIAS, JUDGE

rkc/06.03.25



2025:KER:19076

APPENDIX OF WP(C) 24527/2024

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF SELECTION NOTICE DTD. 16.09.2023
ISSUED BY 3RDRESPONDENT IN RESPECT OF SL.NO.1
WORK
- Exhibit P1 (a) TRUE COPY OF SELECTION NOTICE DTD. 12.07.2023
ISSUED BY 3RDRESPONDENT IN RESPECT OF SL.NO.2
WORK
- Exhibit P1 (b) TRUE COPY OF SELECTION NOTICE DTD. 12.07.2023
ISSUED BY 3RDRESPONDENT IN RESPECT OF SL.NO.3
WORK
- Exhibit P1 (c) TRUE COPY OF SELECTION NOTICE DTD. 16.09.2023
ISSUED BY 3RDRESPONDENT IN RESPECT OF SL.NO.4
WORK
- Exhibit P1 (d) TRUE COPY OF SELECTION NOTICE DTD. 20.07.2023
ISSUED BY 3RDRESPONDENT IS IN RESPECT OF SL.NO.5
WORK
- Exhibit P2 TRUE COPY OF TREASURY SAVINGS BANK TERM DEPOSIT
CERTIFICATE NO. JL1140467 AND JL1140468
DTD.18.10.2023 IN RESPECT OF EXT.P1
- Exhibit P2 (a) TRUE COPY OF TREASURY SAVINGS BANK TERM DEPOSIT
CERTIFICATES NO. JL1461877 DTD. 24.08.2023 AND
NO. JL11403074 DTD.05.10.2023 IN RESPECT OF
EXT.P1 (A)
- Exhibit P2 (b) TRUE COPY OF TREASURY SAVINGS BANK TERM DEPOSIT
CERTIFICATES NO. JL1461875 DTD. 24.08.2023 AND
NO. JL1140330 DTD. 30.09.2023 IN RESPECT OF
EXT.P1 (B)
- Exhibit P2 (c) TRUE COPY OF TREASURY SAVINGS BANK TERM DEPOSIT
CERTIFICATE NOS. JL1140472 AND 1140473
DTD.19.10.2023 IN RESPECT OF EXT.P1 (C)
- Exhibit P2 (d) TRUE COPY OF TREASURY SAVINGS BANK TERM DEPOSIT
CERTIFICATES NO. JL1461939 DTD. 05.09.2023 AND
NO. JL1140375 DTD.05.10.2023 AND IN RESPECT OF
EXT.P1 (D)
- Exhibit P3 TRUE COPY OF JUDGMENT DTD. 10.11.2023 IN W.P.
(C) . NO. 37371 OF 2023