

**BEFORE THE LD. SOLE ARBITRATOR
SHRI NARESH H. PATIL
(FORMER CHIEF JSUTICE OF BOMBAY HIGH COURT)**

**SUPREME MANOR WADA BHIWANDI
INFRASTRUCTURE PVT. LTD. ...CLAIMANT**

VERSUS

**STATE OF MAHARASHTRA THROUGH
THE EXECUTIVE ENGINEER,
PUBLIC WORKS DEPARTMENT, JAWAHAR ...RESPONDENT**

**STATEMENT OF ADMISSION AND DENIAL BY THE
CLAIMANT**

Filed on behalf of the Claimant by

AGAMA LAW ASSOCIATES
#273, 2nd Floor, Solaris – I, F-Wing,
Saki Vihar Road, Powai,
Mumbai – 400 072

Dated this ____ day of April 2021

1. This Statement of Admission and Denial of the documents referred to and relied upon by the Respondent in their Statement of Defence and Counter Claim, is being filed by the Claimants in accordance with the directions of the Hon'ble Tribunal in the Minutes of the Meeting dated 17th April 2021.
2. The table below contains the Claimant's admission and denial of the existence and / or contents of the documents referred to and relied upon by the Respondent in their Statement of Defence and Counter Claim. Further, for the purpose of identification, the description under the column "Description of Document" is reproduced from the index of documents filed by the Respondent. The description under the column is not admitted and has been adopted merely for identification and convenience.

DOCUMENTS FORMING PART OF THE STATEMENT OF DEFENSE / WRITTEN STATEMENT			
Sr. No.	Particulars	Existence	Contents
1.	<u>Exhibit-A</u> Letter dated 16.08.2016 issued by the Respondent to the Claimant.	Admitted	Denied
2.	<u>Exhibit-B (Colly.)</u> Respondent's letters dated 29 th January 2018, 25 th May 2018, 20 August 2018 and 03 rd September 2018 to the Claimant.	Admitted	Denied
3.	<u>Exhibit-B1</u> MERI's Reports in October, 2018.	Denied	Denied
4.	<u>Exhibit-B2</u> MERI's Reports in February, 2019	Denied	Denied
5.	<u>Exhibit-C (Colly.)</u> Photographs of the project report taken during monsoon.	Denied	Denied
6.	<u>Exhibit-C1</u> Letters dated 20 th May 2019 of Shramajivi Sanghatana Maharashtra, letter dated 1 st July 2019 of Swabhimani Sanghatana, letter dated 16 th July 2019 of Shramajivi Sanghatana Maharashtra, and letter dated 30 th July 2019 of Sarpanch, Kudus Village Panchayat.	Denied	Denied
DOCUMENTS FORMING PART OF THE STATEMENT OF THE COUNTER CLAIM			
7.	<u>Exhibit-A</u>	Denied	Denied

	Work Order dated 27.11.2017 issued to M/s. Shivsai Constructions.		
8.	<u>Exhibit-A1</u> Running Account Bill of Shivsai Constructions.	Denied	Denied
9.	<u>Exhibit-A2</u> Memorandum of payment of 2 nd Running Account Bill.	Denied	Denied
10.	<u>Exhibit-B (Colly.)</u> Respondent's letters dated 29 th January 2018, 25 th May 2018, 20 th August 2018, 03 rd September 2018, and 3 rd October 2019 to the Claimant.	Admitted	Denied
11.	<u>Exhibit-B1 (Colly.)</u> Letters dated 20 th May 2019 of Shramajivi Sanghatana Maharashtra, letter dated 1 st July 2019 of Swabhimani Sanghatana, letter dated 16 th July 2019 of Shramajivi Sanghatana Maharashtra, and letter dated 30 th July 2019 of Sarpanch, Kudus Village Panchayat.	Denied	Denied
12.	<u>Exhibit-B2</u> MERI's Roughness Index Test Report of October, 2019.	Denied	Denied
13.	<u>Exhibit-C</u> Inspection Note of the inspection of the Project Road held on 13 th October 2019.	Denied	Denied
14.	<u>Exhibit-D</u> Sanction Letter No.6522 dated 16 th October 2019 of the Superintendent Engineer.	Denied	Denied
15.	<u>Exhibit-D1</u> Running Account Bill issued by Mr. Jayant V. Ambavane.	Denied	Denied
16.	<u>Exhibit-D2</u> Memorandum of part-payment of Rs.1,09,40,000.00 made to Mr. Jayant V. Ambavane.	Denied	Denied
17.	<u>Exhibit-D3</u> Account Statement showing part-payment having been made to Mr. Jayant V. Ambavane.	Denied	Denied
18.	<u>Exhibit-E</u>	Denied	Denied

	Sanction Letter No.6521 dated 16 th October 2019 of the Superintendent Engineer.		
19.	<u>Exhibit-E1</u> Running Account Bill issued by Mr. P.M. Ratnakar.	Denied	Denied
20.	<u>Exhibit-E2</u> Memorandum of payment of Rs.1,11,81,631.00 made to Mr. P.M. Ratnakar.	Denied	Denied
21.	<u>Exhibit-E3</u> Account Statement showing payment having been made to Mr. P.M. Ratnakar.	Denied	Denied
22.	<u>Exhibit-F</u> Sanction Letter dated 18 th October 2019 of the Superintendent Engineer.	Denied	Denied
23.	<u>Exhibit-F1</u> Running Account Bill issued by M/s. Ashirwad Constructions.	Denied	Denied
24.	<u>Exhibit-F2</u> Memorandum of payment of the Running Account Bill to M/s. Ashirwad Constructions.	Denied	Denied
25.	<u>Exhibit-F3</u> Account Statement showing payment having been made to M/s. Ashirwad Constructions.	Denied	Denied
26.	<u>Exhibit-F4</u> Account Statement showing payment having been made to M/s. Ashirwad Constructions.	Denied	Denied
27.	<u>Exhibit-G</u> Running Account Bill issued by M/s. Kshatriya Infrastructure Pvt. Ltd.	Denied	Denied
28.	<u>Exhibit-G1</u> Memorandum of payment of the Running Account Bill to M/s. Kshatriya Infrastructure Pvt. Ltd.	Denied	Denied
29.	<u>Exhibit-G2</u> Account Statement showing payment of the Running Account Bill to M/s. Kshatriya Infrastructure Pvt. Ltd.	Denied	Denied
30.	<u>Exhibit-H</u> Photographs showing post-repairs conditions of the Project Road.	Denied	Denied
31.	<u>Exhibit-I</u>	Denied	Denied

	Work Order dated 31.10.2019 issued to M/s. Mayur Constructions and Developers.		
32.	<u>Exhibit-I1</u> Running Account Bill issued by M/s. Mayur Constructions and Developers.	Denied	Denied
33.	<u>Exhibit-I2</u> Memorandum of payment of the Running Account Bill to M/s. Mayur Constructions and Developers.	Denied	Denied
34.	<u>Exhibit-I3</u> Account Statement showing part-payment of the Running Account Bill to M/s. Mayur Constructions and Developers.	Denied	Denied
35.	<u>Exhibit-J</u> Work Order dated 10.07.2020 issued to M/s. Jai Bharat Constructions.	Denied	Denied
36.	<u>Exhibit-J1</u> Running Account Bill issued by M/s. Jai Bharat Constructions.	Denied	Denied
37.	<u>Exhibit-K</u> Work Order dated 30.09.2020 issued to M/s. Mayur Constructions and Developers.	Denied	Denied
38.	<u>Exhibit-L</u> Work Order dated 29.11.2019 issued to M/s. Technogem Consultants Pvt. Ltd.	Denied	Denied
39.	<u>Exhibit-M</u> Extract of Project Report of M/s. Technogem Consultants Pvt. Ltd.	Denied	Denied
40.	<u>Exhibit-N</u> Accounts Statement showing part-payment made to M/s. Technogem Consultants Pvt. Ltd.	Denied	Denied

AGAMA LAW ASSOCIATES

Advocates for the Claimant