**Draft Cover letter for claim submission**

Dear Sir,

1. We refer to our letters seeking Extension of Time for completion of the Works submitted, vide letter no. 2134, dated 07th July’2025 and also our letter dated \_\_\_\_ concerning the Supplementary Agreement signed between us on 12th March 2024, not being capable of given effect. With the present letter, we submit our request for payment of compensation for all the consequences arising from delay and disruptions to the Works, since inception of the Contract till 30th June 2025.
2. A perusal of our letter seeking Extension of Time for completion of the Works, would show that the governing reasons for delay in completion of the Works included the following:
   1. Non-availability of the Site/ ROW, as required under the terms of the Concession Agreement and the Contract.
   2. Delay in removal of the trees,
   3. Delay in removal of utilities,
   4. repeated changes to the Scope, in piecemeal basis
   5. Introduction of Major structures not foreseen in the Contract.
   6. Delay in approval of the Change of Scope Works.
3. These primary and governing reasons for the delay, besides other reasons for delay and disruption, have been explained in our Extension of Time submission and are well documented on record.
4. It is pertinent to note that, at the end of the Original Contract Period in August 2023, the Site itself was not made available for about 58% of the length of the MCW and 46% of the length of the SR, in the scope of the Contract. Even as of end of 31st January 2025, the Employer had failed to hand over the Site for 25% of the length of the MCW.
5. Execution of the Works even in the portion of the Project Highway, where the Site was made available, was prevented due to default of the Employer in removal of the utility, removal of tree cutting, finalizing the change of scope, delay in issuance of the design, etc.
6. In view of the reasons already cited in our earlier submissions, the Contractor is entitled to be compensated for all the consequences arising from such reasons for delay.
7. A brief narration of various heads under which the Contractor has submitted the request for payment of compensation and related computations are enclosed hereto. The total amount of additional costs incurred and/or losses suffered by the Contractor, as of June 2025, due to such reasons, not attributable to us and as explained in our Extension of Time submission, works out to rupees 451.47 crores.
8. You will appreciate that the Contractor could not have foreseen such deficits and delays in execution of the Works. In fact, the Works foreseen to be completed by August 2023 in a Contract of 22-month period has now extended by more than 24 months and are likely to continue for at least 18 months more.
9. Needless to mention that, the Contractor has incurred additional costs and had borrowed extensive financial assistance from external sources to be able to continue with the progress of the Works without major disruption. The extent of deficit in the cash flow has however, reached to such proportions that it may not be possible for the Contractor to sustain the present rate of progress.
10. We therefore, request your good selves to give immediate attention to this critical issue and while the matter may be discussed for a final resolution, we request your good selves to provide an immediate and interim relief of INR 250 crore to enable us to sustain the present rate of progress. Such advance payment can be settled against the final amount that is decided and determined after due examination of our submissions.

We request an early action in the matter.