

HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No. 26518 of 2021

ORDER:

The present Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“...to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not paying or releasing the undisputed outstanding final bill dated 28.01.2019 for an amount of Rs.12,20,773/- (Rupees Twelve Lakhs Twenty Thousand Seven Hundred and Seventy Three only) along with interest 18% p.a. from the date of approval of final bill dated 28.01.2019 to till the date of realization of the said amount in respect of contract work of an agreement No. 101 DN/2018-19 dated 25.08.2018 for the work of “S.P.B.P.R.C. N.C.P. Providing protection works from km. 3.100 to 4.000 of Venkateswarapalem Minor Distributory”, admittedly completed by petitioner as unjust, illegal, irregular, highhanded, mala fide and arbitrary, without any reason or ground and violation of principles of natural justice and violation of fundamental rights guaranteed under the Articles 14, 21 and 19 (1) (g) of the Constitution of India and consequently direct the respondents to pay or release the undisputed outstanding final bill of Rs.12,20,773/- in respect of said contract work forthwith to the petitioner in the interest of justice and pass...”

Heard learned counsel for the petitioner and learned counsel for the respondents.

When the matter is taken up for hearing, learned counsel for the petitioner submits that the respondents have complied with the orders dated 16.02.2022, passed by this Court in the

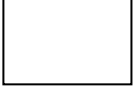
present writ petition, but the respondents did not pay the interest.

In view of the above, this Court is of the opinion that no further orders are required to be passed in the present writ petition and accordingly, the present Writ Petition is closed. However, the petitioner is at liberty to initiate separate proceedings for recovery of interest subject to the outcome of the Writ Appeals pending before the Division Bench of this Court on this aspect. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VENKATESWARLU NIMMAGADDA, J

30th September, 2022
cbn



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(closed)

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