

IN THE HIGH COURT OF ANDHRA PRADESH:: AMARAVATHI

HON'BLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION No.20268 OF 2022

Ch.Murali Mohan Rao

... Petitioner

Versus

The State of Andhra Pradesh represented by
Represented by its Principal Secretary,
Irrigation and Water Resources Department and Others.

... Respondents

Counsel for the petitioner : Mr.Ch.B.R.P.Sekhar

Counsel for Respondent No.1 : G.P. for Irrigation

Counsel for Respondent Nos.2, 6 and 7 : G.P. for Finance

Counsel for Respondents 3, 4 & 5 : V.Raja Manohar

ORDER:

The petitioner had been awarded the contract for Rs.6,09,096/- for contract work of revival of Polampalli-II, L.I, Scheme on Munneru river in Vastavai Mandal, Krishna District, vide agreement dated 19.09.2016. After execution of the said contracts, the bills had been prepared. As payment of the said amount has not been made by the respondents, the petitioner has approached this Court by way of this Writ Petition.

2. Heard learned counsel for the petitioner, learned Government Pleaders for Irrigation, Finance & Planning and Mr. V.Raja Manohar, learned Standing Counsel. With their consent, the Writ Petition is being disposed of at the admission stage.

3. It is the contention of the petitioner that even though the respondents admitted that the petitioner is entitled for payment of the aforesaid sum of money, no payment is being made. The petitioner contends that such non-payment of money is clearly arbitrary and high-handed requiring the interference of this Court.

4. This Court, in various orders, including the judgment of a learned Single Judge of this Court dated 05.10.2021 in W.P.No.10038 of 2021 & batch had taken the view that such non-payment of dues is arbitrary and that such dues need to be cleared by the respondents at the earliest.

5. In view of the aforesaid directions of this Court in various cases and after hearing the submissions of the learned counsel for the petitioner, learned Government Pleaders for Irrigation and Finance & Planning and learned counsel appearing for the respondent-Corporation, this Writ Petition is disposed of with a direction to the respondents to release the amount of Rs.6,09,096/- to the petitioner at the earliest, and at any rate, within a period of six weeks from today. It would also be open to the petitioner to agitate his claim for interest, if any payable by the respondents, in an appropriate forum. There shall be no order as to costs.

Consequently, miscellaneous applications, pending if any, shall stand closed.

NINALA JAYASURYA, J

July 29, 2022

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HON'BLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION No.20268 OF 2022

DATE: 29.07.2022

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