

APHC010093592023



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3331]

FRIDAY ,THE TWENTY SECOND DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

CONTEMPT CASE NO: 1309/2023

Between:

M/s. Sai Vishnu Constructions,

...PETITIONER

AND

Vivek Yadav and Others

...CONTEMNOR(S)

Counsel for the Petitioner:

1.POLANKI ANAND SURYA

Counsel for the Contemnor(S):

1.KASA JAGANMOHAN REDDY-00459/AP/459/2017

2.KASA JAGANMOHAN REDDY

3.ASHOK RAM V

4.C SUMON

The Court made the following:

The above contempt case is filed complaining non implementation of the order dated 18.10.2022 in I.A.No.1 of 2022 in W.P.No.31106 of 2022.

W.P.No.31106 of 2022 is filed to declare the action of the respondents in withholding the payment of 1) Rs.7,14,328/- in respect of work "APCRDA-Construction of CC roads & CC drains ; 2) Rs.1,46,310/- in respect of work

“APCRDA-Construction of CC roads & CC Drains in Lingayapalem Village in Amaravati Capital City Area”; 3) Rs.6,34,564/- in respect of work “APCRDA – Construction of CC roads & CC drains in Toorpu Colony & OC Colony of dangapadu Vilalge in Amaravati Capital City Area” ; and 4) Rs.3,67,414/- in respect of work “APCRDA-Providing Footpath for R & B road from Prakasam barrage to KWD offtake Regulator near Seethanagaram, Guntur District”, as illegal and arbitrary.

The following interim order was passed in I.A.No.1 of 2022 in W.P.No.31364 of 2022 on 18.10.2019:

“....

....

The learned Government Pleaders requested time to process the bills, in view of the G.O.Rt.No.40963, dated 03.09.2021, and it is also submitted by the learned Government Pleaders that the authorities would consider and pay the bills, after uploading the same in CFMS portal. However, this Court did not consider the request made by the learned Government Pleaders.

Therefore, the respondents, without taking up the technical objections, are directed to pay the bills, which are due to the petitioner since a long time and to submit compliance report within Six (06) weeks.

Post after Six (06) weeks.”

Since the order was not complied, the above contempt case is filed.

Notice was ordered on 06.03.2023. On 25.01.2024 at request made on behalf of the respondents 1 to 3, it was adjourned to 23.02.2024 for compliance. On 23.02.2024 at request of the respondents 1 and 2, the

matter is directed to be listed on 15.03.2024. Till today, the order is not complied with.

Thus, as seen from the material on record, the respondents failed to comply with the order dated 18.10.2022 in I.A.No.1 of 2022 in W.P.No.31106 of 2022.

ADMIT.

The following charges are framed against respondents:

- 1) Whether the failure of the respondents / contemnors to comply with the order dated 18.10.2022 in I.A.No.1 of 2022 in W.P.No.31106 of 2022 is deliberate and intentional
- 2) Whether the respondents 1 to 4 are liable to be punished under Sections 10 to 12 of the Contempt of Courts Act r/w Article 215 of the Constitution of India?

List the matter on 19.04.2024.

JUSTICE SUBBA REDDY SATTI

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