

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.: W.A.No.113 of 2023

PROCEEDING SHEET

Sl. No	DATE	ORDER	
1.	20.01.2023	<u>CPK, J & BVLNC, J</u> <u>W.A.No.113 of 2023</u> Learned Government Pleader for Panchayat Raj & Rural Development for the appellants. It is brought to the notice of this Court that in similar matters, i.e., in W.A.Nos.740 and 741 of 2021, this Court, following the earlier interim order dated 18.11.2021 passed by a Coordinate Bench in W.A.No.724 of 2021, has passed interim order dated 24.11.2021, the operative portion of which reads as under:- <i>“In one of the Writ Appeals i.e., W.A. No.724 of 2021, the Coordinate Bench has passed interim order staying the operation of the order of the single Judge, in so far as it concerns payment of interest to the writ petitioners as also regarding setting aside the provision in Memo No. 1263069/RD.II/A1/2020, dated 05.11.2020 and the Memo No.1388361/RD.II/A1/ 2020, dated 12.05.2021 relating to deduction of 21.02% for DCC works and 6.333% for MCC works, at the same time, recording submissions made by the learned Advocate General that the direction of the learned single Judge as far as payment of the principal amount of the bills raised by the</i>	

		writ petitioners, in terms of the orders of the Division Bench dated 02.11.2021 in W.P. (PIL) No.166 of 2019 in Krishna District Grama Panchayathi Sarpanchla Sangam v. The State of Andhra Pradesh and others, Krishna District, shall be complied with within four weeks, if not already done. Considering the facts and circumstances of the case and having regard to the interim order passed by the Coordinate Bench, we direct that the said interim order shall apply for the present writ appeals also, however, with a condition that the appellants shall pay the principal amount of the bill raised by the original writ petitioners, within a period of four weeks, failing which the present interim order shall stand vacated without reference to the bench.” The issue involved being one and the same, there shall be an interim order in the present appeal also in terms of the interim orders passed in the connected appeals as noted above. Accordingly, the direction of the learned single Judge regarding payment of interest to respondent No.1/writ petitioner as also setting aside the provision in Memo No.1263069/RD.II/A1/2020 dated 05.11.2020 and Memo No.1388361/RD.II/A1/2020 dated 12.05.2021 relating to deduction of 21.02% for DCC works and 6.333% for MCC works, while making payment, shall remain stayed. However, the appellants shall pay the principal amount of	
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		the bills raised by respondent No.1/writ petitioner within a period of four weeks, failing which this interim order shall stand vacated without reference to the Bench. Post this case along with W.A.No.724 of 2021. <u>CPK, J</u> <u>BVLNC, J</u> AMD	
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