

THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO.1172 OF 2023

ORDER:

This Writ Petition is filed by the petitioner, under Article 226 of the Constitution of India, seeking the following relief:

“to issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the respondents in not making the payments for an amount of Rs.17,36,317/- (Rs.8,68,037/- & Rs.8,68,280/-) covered under the agreements No.22/EE/APMSIDC Division/Krishna District/VIJ/2021-22 and No.23/EE/APMSIDC Division/Krishna District/VIJ/2021-22 dated 10.08.2021 for providing Medical Oxygen Gas Pipeline for 20 Beds at CHC Challapalli, Krishna District and for 20 Beds at CHC Guduru, Krishna District as illegal, arbitrary and violation of Articles 14, 21 & 300-A of the Constitution of India and further direct the respondents to clear the bill of Rs.17,36,317/- forthwith and pass such other order or orders....”

2. Heard Sri B.V.Anjaneyulu, learned counsel for the petitioner, learned Government Pleader for Finance and Planning appearing for respondent Nos.2 and 8 and learned Standing Counsel for Andhra Pradesh Medical Service & Infrastructure Development Corporation (APMSIDC) appearing for respondent Nos.3, 6 and 7.

3. Learned Standing Counsel for APMSIDC as well as learned Government Pleader for Finance and Planning collectively submitted that, the bill amount has been admitted by the authorities and sought time for payment of the same.

4. Learned counsel for the petitioner as well as learned counsel for the respondents submitted that in similar set of facts, this Court, *vide* order dated 28.06.2022 in Writ Petition No.17411 of 2022, granted six (06) weeks time for payment of the bill amount and prayed to consider this Writ Petition in similar lines.

5. Having regard to the submissions made by learned counsel for the petitioner as well as the respondents, this Court is of the considered view that the present Writ Petition can be disposed of, at the admission stage, in terms of the orders passed in Writ Petition No.17411 of 2022 dated 28.06.2022.

6. Accordingly, the present Writ Petition is disposed of directing the respondents to release the admitted/legally entitled amount to the petitioner, at the earliest, preferably within a period of six (06) weeks from the date of receipt of a copy of this order. It would be open to the petitioner to agitate its claim for interest, if any, payable by the respondents, if it is so advised, in an appropriate forum. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in the writ petition shall stand closed.

JUSTICE RAVI CHEEMALAPATI

18.04.2023
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Date:18.04.2023

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