

THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION No.11954 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 or direction declaring the action of the Respondents in withholding the payment of amount of Rs.75,79,757/- (first bill) Rs.94,27,785/- (second bill) and Rs.30,20,678/-(final bill) totally an amount of Rs.2,00,20,220/- even after finalizing the bills payable to the petitioner in relation to the works i.e., “Construction of Men’s Hostel for Arts and Science College at S.V.University, Tirupati” vide agreement Bond No.MD/LS/TW-VII/32/2021-22 dt.28.06.2021 is questioned, as the same is illegal, arbitrary and consequently direct the respondents to consider for payment amount of Rs.75,79,757/- (first bill) Rs.94,27,785/-(second bill) and Rs.30,20,678/- (final bill) totally an amount of Rs.2,00,20,220/- with interest @ 24 % per annum for the delayed amount to the petitioner in respect of execution of above mentioned work forthwith and pass such other order or orders.....”

2. Heard Sri Suresh Kumar Reddy Kalava, learned counsel for the petitioner, learned Government Pleader for Home, learned Government Pleader for Finance & Planning, Sri Butta Vijaya Bhaskar, learned standing counsel for Sri Venkateswara University and Sri K.C.Venkata Reddy, learned standing counsel for Andhra Pradesh State Police Housing Corporation Limited.

3. Learned standing counsel for Andhra Pradesh Police Housing Corporation Limited appearing for respondent Nos.2, 5 and 6 and learned Government Pleader for Finance & Planning appearing for respondent No.7 collectively submitted that the bill

amount has been admitted by the authorities and the same will be paid to the petitioner in due course and 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.

4. To the said submission, learned counsel for the petitioner reported no objection.

5. In view of the above, with the consent of learned counsel for both the parties, this Writ Petition is disposed of, at admission stage, in terms of the orders passed in W.P.No.17411 of 2022, dated 28.01.2022.

6. Accordingly, the respondents are directed to release the admitted/legally entitled amount to the petitioner at the earliest, and at any rate, 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 his claim for interest, if any, payable by the respondents, if he is so advised, in an appropriate forum. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

12.05.2023
MP

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Dated : 12.05.2023

MP