

APHC010366712023



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

[3333]

FRIDAY ,THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 18878/2023

Between:

M/s. Venkateswara Nursery Gardens

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. SRINIVASA RAO NARRA

Counsel for the Respondent(S):

1. GP FOR AGRICULTURE

2. GP FOR FINANCE PLANNING

The Court made the following:

ORDER:

This Writ Petition is filed challenging the inaction of the respondents in not releasing the total bills amount worth of Rs.2,32,900/- with interest 12 percent p.a. as per the Judgment of this Court In W. P. Nos.19525 of 2021, (W.P.Nos.10038 of 2021 and Batch) dated 05.10.2021 under grant of Soil Water Conservation Programme (SWCP) to the petitioner till today after implementation of the Supply of Horticulture fruit crops (Allaneredu, Guava, Pomegranate) to Keeramanda cluster of Bangarupalem Mandal in Assistant Director of Agriculture (Soil conservation) Chittoor Division under SWCP for the periods 2018-2019, 2019-2020 and 2019-2020 to take up for implementation of Plantation programme under Soil Water Conservation Programme (SWCP) 2018-19 in Concerned Division and causing heavy loss with Interest even though the work was completed within time as illegal, arbitrary and consequentially direct the respondents to release and pay the total bills amount forthwith.

2. Heard learned counsel for the petitioners and learned counsel appearing for the respondents.

3. The case of the petitioner, in brief, is that the Agriculture Department allotted three (03) works i.e., for supply of Horticulture fruit crops (Allaneredu, Guava, Pomegranate) to the different clusters of Chittoor Division under Soil Water Conservation Programme (SWCP) for the periods 2018-2019, 2019-2020 to the petitioner worth Rs.2,32,900/-. Accordingly, the petitioner has completed the said works and after completion of check measurements of the work, the respondents uploaded the total bills for amount of Rs.2,32,900/- for sanction of funds. But, despite several oral representations made by the petitioner, the respondents did not release the amount till today. Hence, the present Writ Petition.

4. Today, when the Writ Petition came up for hearing, learned Government Pleader for Agriculture for respondents 1, 3 to 8 placed a copy of instructions received from the District Agriculture Officer, Chittoor, wherein it is stated that as per the available records, the petitioner supplied the Horticulture Fruit Crops (Allaneredu, Guava and Pomegranate plants) in their clusters and submitted the bills for an amount of Rs.2,32,900/- through the Deputy Director of Agriculture (SC), Chittoor for sanction of subsidy amount under SWCP during the year 2018-19. Further, it is submitted that the total amount of Rs.2,32,900/- has been sanctioned and bills were submitted in CFMS portal. However, after a long time the bills submitted were returned by

the CFMS and it is being pursued by the District Agriculture Officer, Chittoor for release of budget to settle the pending bills; soon after receipt of the budget the Subsidy amount will be paid to the beneficiaries accounts through online transfer and the same will be informed to the beneficiaries. Said facts are also not denied by the learned Government Pleader for Finance Department.

5. In view of the same, since the amount claimed by the petitioner is admitted by the respondents, instead of keeping the Writ Petition pending, this Court feels it appropriate to dispose of the Writ Petition, directing the respondents to release admitted bill amount of Rs.2,32,900/- payable to the petitioner as expeditiously as possible preferably within a period of four (04) months from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. No costs.

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

JUSTICE V. SUJATHA

Date:26.04.2024

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