

HONOURABLE SMT. JUSTICE V.SUJATHA

WRIT PETITION No.19382 of 2023

ORDER:

The present Writ Petition came to be filed under Article 226 of the Constitution of India seeking the following relief:-

“... to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction on the part of the respondents herein not releasing the total bills amount worth of Rs.16,00,000/- (Rupees Sixteen Lakhs only) with interest @12% p.a., as per the judgment of this Hon’ble Court in W.P.No.19525/2021 (W.P.No.10038/2021 and Batch) dated 05.10.2021 under grant of Rainfed Area Development (RAD) 2017-18 Under National Mission Sustainable Agriculture (N.M.S.A) – implementation of the activities under RAD Sheep rearing in ADA (S.C.) farmers of selected clusters Singannavaripalli, Vanimreddygaripalli of Kurabalakota Mandal, Vengamvaripalli, Musthur Cluster of Nimmanapalli Mandal and Gattu, Chalimamidi Clusters of B.Kothakota Mandal, Division Chittoor District and causing heavy los with interest even though the work was completed within time as illegal, arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India ..”

2. Heard learned counsel for the petitioners and learned Assistant Government Pleader Finance and Planning appearing for the respondents.

3. Learned counsel for the petitioners submits that even though the respondents admitted that the petitioners are entitled for payment of the aforesaid sum of money, no payment is being made and such non-payment of money is clearly arbitrary and

high-handed and thereby requires interference by this Court. He further submits that having approved the bills with CFMS token numbers, non-payment of bill amount is arbitrary and illegal.

4. This Court, in various orders, including the judgment of a learned single Judge of this Court, dated 05.10.2021 in W.P.No.10038 of 2021 and batch had taken the view that such non-payment of dues is arbitrary and that such dues needs to be cleared by the respondents at the earliest.

5. Learned Government Pleader submits that the respondent authorities are verifying the claims of the petitioners and would be in a position to make payments only after such verification is being completed.

6. In view of the aforesaid directions of this Court in various cases and after hearing both sides, this Court is inclined to dispose of the Writ Petition with a direction to the respondents to complete the verification process within a period of six (06) weeks from the date of receipt of a copy of this order and thereafter to pay the amounts due to the petitioners depending upon the outcome of the verification within a period of eight (08) weeks. It would also be open to the petitioners to agitate their claim for

interest, if any, payable by the respondents in an appropriate forum.

7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE V.SUJATHA

Date : 17.08.2023
Pnr