

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
THE HON'BLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION No.19436 of 2023

Between:-

D.Srinivasa Rao		Petitioner
	And	
The State of Andhra Pradesh, represented by its Principal Secretary, Department of Finance & Planning & 6 others		Respondents

Counsel for the Petitioner	:	M/s. G.Prasanthi
Counsel for the Respondents	:	Learned Govt. Pleader for Irrigation & CAD
		Learned Govt. Pleader for Finance & Planning

ORDER:

The present Writ Petition is filed to declare the action of the respondents in not paying bills in respect of the subject matter works executed by the petitioner as mentioned in the Writ Affidavit, as arbitrary, illegal etc., and for a consequential direction to the respondents to pay the said amount and to pass such other orders.

2. Heard the Learned Counsel for the petitioner. Also heard Learned Assistant Government Pleader for Irrigation & CAD and the Learned Assistant Government Pleader for Finance & Planning representing the respondents. With their consent, the Writ Petition is being disposed of, at the admission stage.

3. Learned Counsel for the petitioner states that the petitioner completed the subject matter works to the satisfaction of the respondent authorities. She further submits that the bills in respect of the same have not been paid so far and in view of the delay on the part of the respondents in releasing the amount, the petitioner is facing financial crisis. Under the said circumstances, the present Writ Petition is filed.

4. Learned Assistant Government Pleader for Irrigation & CAD placed a copy of the written instructions dated 30.9.2023 received from the 4th respondent for perusal of this Court, wherein it is *inter alia* mentioned that the Bill is waiting for fund clearance.

5. Therefore, in view of the undisputed position with regard to the execution of the works by the petitioner and non-payment of bill in respect of the same, this Court, being of the opinion that the action of the respondents in not paying the bill amount to the petitioner is unjust, not tenable, however, is inclined to grant some time to the respondents to make the payment.

6. Accordingly, the Writ Petition is disposed of, with a direction to the respondents to arrange to pay the amount, which is due and payable to the petitioner, in respect of the works in question, after effecting the statutory deductions, as expeditiously as possible, at any rate, within a period of two (2) months from the date of receipt of a copy of this order. It is needless to mention that the petitioner may raise claim with regard to the interest component before appropriate Forum, if it is so advised.

There shall be no order as to costs. As a sequel, all pending applications shall stand closed.

JUSTICE NINALA JAYASURYA

Date: 11.10.2023

IS

THE HON'BLE SRI JUSTICE NINALA JAYASURYA

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