

IN THE HIGH COURT OF ANDHRA PRADESH:: AMARAVATHI

HON'BLE SRI JUSTICE NINALA JAYASURYA

Writ Petition No.1953 OF 2023

Kota Mareswara Rao

... Petitioner

Versus

State of Andhra Pradesh, Rep. by its
Principal Secretary to Government,
Panchayat Raj & Rural Development Department
and Others.

..... Respondents

Counsel for the petitioner : Ms.Nimmagadda Revathi

Counsel for the respondents : G.P. for Panchayatraj &
Rural Development.

ORDER:

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Panchayatraj, who placed a copy of the Brief Notes dated 01.01.2023 received from the 6th respondent, for perusal of this Court.

2. The Writ Petition is filed seeking to declare the action of respondents in not making payment of Rs.1,07,943/- for the material supplied by the petitioner for construction of Anganwadi Center Building at Venkatadripuram, H/o.Annavaram Village in Nuzvid Mandal, Eluru District(erstwhile Krishna District) as illegal, arbitrary etc., and for a consequential direction to the respondents to pay the said amount to the petitioner.

3. The learned counsel for the petitioner with reference to the averments made in the Writ Petition and the relief sought for, *inter alia*, submits that though the petitioner executed subject matter works and incurred an expenditure of Rs.1,07,943/-, the same has not been paid by the respondents so far. He submits that due to non-payment of the amounts payable, the petitioner is subjected to great hardship and irreparable loss, as he has invested amounts for execution of works by taking hand loans from the relatives and friends. He submits that the works were completed without any remarks and the respondents are under legal obligation to pay the amounts in respect of the same. He submits that having no other alternative remedy, the petitioner is constrained to approach this Court seeking appropriate directions for payment of the above said amount with interest.

4. Learned Assistant Government Pleader for the Panchayatraj Department made submissions with reference to the instructions received by him.

5. On consideration of the matter, more particularly with reference to the Brief Notes mentioned above, it would appear that there is no dispute with regard to the entitlement of the petitioner for the amount claimed in the Writ Petition.

6. In view of the same, the Writ Petition is disposed of with a direction to the respondents to pay Rs.1,07,943/- to the petitioner in respect of the subject matter works, as expeditiously as possible, at any rate, within a period of six (6) weeks from the date of receipt of a copy of this Order. Needless to observe that the petitioner may raise his claim with regard to interest component through appropriate proceedings, if he is so advised. There shall be no order as to costs.

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

NINALA JAYASURYA, J

Date: 02.03.2023.
BLV

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Dt: 02.03.2023

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