

(SHOW CAUSE NOTICE BEFORE ADMISSION)

[3332]

IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE ✓

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI ✓

Between:

WRIT PETITION NO: 19563 OF 2023 ✓

M/s.Padmasree Harizana Co Operative Society Limited, Rep. by its President Sri M.Kutumba Rao, S/o.David, aged 62 years, Occ. Contractor, R/o.D.No.36-9-15, Nehru Nagar, Vijayawada-10, Krishna District.

AND

Petitioner

1. The State of Andhra Pradesh, Rep. by Principal Secretary, Home Department, Secretariat Buildings, Velagapudi, Amaravathi.
2. Andhra Pradesh Police Housing Corporation Limited, Rep. by its VC & Managing Director, 6th Floor, AP Police Head Quarters, Adjacent AP Police Head Quarters, Mangalagiri, Guntur District.
3. The Executive Engineer, Andhra Pradesh Police Housing Corporation Limited, Vijayawada, Krishna District.
4. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Finance & Planning, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.

Respondents

WHEREAS the Petitioner above named through its Advocate SRI.SURESH KUMAR REDDY KALAVA, presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ of mandamus or any other appropriate writ or direction declaring the action of the Respondents in withholding the amount of Rs.6,61,791/- (CFMS No.2022-2376710) even after finalizing the bills payable to the petitioner in relation to the works in Balance work of Construction of Compound wall at Pamidimukkala Police Station Building of Krishna District vide agreement Bond No.39/2022-23 dt.01.10.2022 is questioned, as the same is illegal, arbitrary and consequently direct the respondents to consider for payment of Rs.6,61,791/- (CFMS No.2022-2376710) with interest @24 % per annum for the delayed amount to the petitioner in respect of execution of above-mentioned work forthwith.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri.Suresh Kumar Reddy Kalava, Advocate for the Petitioner, Government Pleader for Home for Respondent No.1, Sri.K.C.Venkata Reddy, Standing Counsel for Respondent Nos.2 & 3 and Government Pleader for Finance & Planning for Respondent No.4, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Home Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi.
2. The Vice Chairman & Managing Director, Andhra Pradesh Police Housing Corporation Limited, 6th Floor, AP Police Head Quarters, Adjacent AP Police Head Quarters, Mangalagiri, Guntur District.
3. The Executive Engineer, Andhra Pradesh Police Housing Corporation Limited, Vijayawada, Krishna District.
4. The Principal Secretary, Department of Finance & Planning, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted on or before 09.08.2023 on which date the case stands posted for hearing.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Learned Government Pleader for Home Department takes notice for R1.

Sri K.C.Venkata Reddy, learned Standing Counsel for A.P.State Police Housing Corporation Ltd., takes notice for R2 & R3.

Learned Government Pleader for Finance Department takes notice for R4.

For getting instructions, post on 09.08.2023, in the 'motion list'.

**Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR**

//TRUE COPY//

Fo

SECTION OFFICER

To,

1. The Principal Secretary, Home Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi.

2. The Vice Chairman & Managing Director, Andhra Pradesh Police Housing Corporation Limited, 6th Floor, AP Police Head Quarters, Adjacent AP Police Head Quarters, Mangalagiri, Guntur District.
3. The Executive Engineer, Andhra Pradesh Police Housing Corporation Limited, Vijayawada, Krishna District.
4. The Principal Secretary, Department of Finance & Planning, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District. (1 to 4 by RPAD-along with a copy of petition and affidavit)
5. One CC to SRI.SURESH KUMAR REDDY KALAVA, Advocate [OPUC]
6. Two CCs to GP FOR HOME, High Court Of Andhra Pradesh. [OUT]
7. Two CCs to GP FOR FINANCE & PLANNING, High Court Of Andhra Pradesh. [OUT]
8. One CC to Sri.K.C.Venkat Reddy, Standing Counsel (OPUC)
9. One spare copy

SRL

HIGH COURT

RCJ

DATED:04/08/2023

NOTE: POST ON 09.08.2023

NOTICE BEFORE ADMISSION

WP.No.19563 of 2023

