

THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION No.19810 of 2023

ORDER:

This Writ Petition is filed by the petitioner, 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 impugned action of the respondents in not releasing the Final Bill amount of Rs.9,21,298/- to the petitioner in respect of the work executed by the petitioner pursuant to the agreement bearing No. /2019-20 dated 18.12.2019 & Measurement book no.12331A for the works i.e., Special Repairs and renovation of toilets and hostel buildings in Govt. SW Girls Hostel, Kotabommali village & Mandal, Srikakulam District as illegal, irregular and irrational, amounts to non-discharge of a legal obligation conferred on them and offends Articles 14 and 21 of the Constitution of India and consequentially direct the respondents to pay the amount of Rs.9,21,298/- forthwith along with interest @ 24 % per annum for the delayed amount to the petitioner for the said works executed by the petitioner and to pass such other order or orders....”

2. Heard Sri N.Siva Rama Krishna, learned counsel for the petitioner, learned Assistant Government Pleader for Panchayat Raj & Rural Development appearing for respondent Nos.1, 3 to 5 and learned Assistant Government Pleader for Finance & Planning appearing for respondent Nos.2 and 6.

3. Learned Government Assistant Pleader for Panchayat Raj appearing for respondent Nos.1, 3 to 5 on written instructions dated 05.08.2023 which are placed on record, submitted that, net amount of Rs.9,21,298/- has been admitted by the authorities and payment will be made soon after receipt of the funds and

sought time for payment. He brought to the notice of this Court that, this Court, *vide* order dated 28.06.2022 in Writ Petition No.17411 of 2022, granted six (06) weeks time for payment of the bill amount and prayed to consider this Writ Petition in similar lines.

5. To the said submission, learned counsel for the petitioner, reported no objection.

6. In view of the above, with the consent of learned counsel for both the parties, this Writ Petition is disposed of, at admission stage in terms of the orders passed in W.P.No.17411 of 2022, dated 28.06.2022.

7. Accordingly, the respondent authorities are directed to release the admitted/legally entitled net amount of Rs.9,21,298/- (Rupees Nine Lakh Twenty One Thousand Two Hundred and Ninety Eight only) to the petitioner at the earliest, and at any rate, within a period of six (6) weeks from the date of receipt of a copy of this order. It would be open to the petitioner to agitate his claim for interest, if any, payable by the respondents, if he is so advised, in an appropriate forum. There shall be no order as to costs.

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

JUSTICE RAVI CHEEMALAPATI

16.08.2023
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Dated :16.08.2023

MP