

THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO.19943 OF 2023

ORDER:

The present Writ Petition is filed seeking the following relief:

"..declaring the action of the respondents in not releasing the pending amounts of Rs.5,00,000/- (Five Lakhs) vide CFMS Token Details BF NOs.1001755311, AS.ID.NO.10000848931, Special Development Fund even after finalizing the bills payable to the petitioner in relation to the works (1) Ground Leveling to AP Model School at Edulavalasa Part-1 an Estimate Amount Rs.5,00,000/- in words Five Lakhs (2) Ground Leveling to AP Model School at Edulavalasa Part-II an Estimate Amount Rs.5,00,000/- in words Five Lakhs (3) Ground Leveling to AP Model School at Edulavalasa Part-III an Estimate Amount Rs.5,00,000 in words Five Lakhs sanctioned vide proceedings No.64/18/SDF/NRPT/CPOSKL/plg.I dated 30.10.2018 of the 4th respondent is illegal, arbitrary, unjust, improper Unconstitutional and in violation of principal of Natural Justice and consequently to direct the respondents to release the pending amounts of Rs.5,00,000/- Five Lakhs with interest 24 percent and pass.."

2. Heard Sri M.Krishna Rao, learned counsel for the petitioner, learned Assistant Government Pleader for Panchayat Raj and learned Assistant Government Pleader for Finance.

3. Learned Assistant Government Pleader for Panchayat Raj on written instructions dated 16.08.2023 submitted that, the authorities have admitted to pay the bill amount to a tune of Rs.3,94,302/- to the petitioner as against the claim made by the petitioner to a tune of Rs.5,00,000/- and sought time for payment. He also submitted that, in similar set of facts this Court passed Order dated 28.06.2022 in

W.P.No.17411 of 2022 thereby granted six(06) weeks time and prayed to consider this case also in the same lines.

4. To the said submission, learned counsel for the petitioner reported no objection and however requested that, a liberty may be given to the petitioner to approach appropriate forum for recovery of the balance amount.

5. Taking into consideration the submissions of both the learned counsel and as there is some force in contentions of learned counsel for petitioner in requesting liberty to approach appropriate forum for recovery of balance amount, this court is inclined to **dispose of this** writ petition, at the admission stage, in terms of the orders passed in W.P.No.17411 of 2022, dated 28.06.2022.

Accordingly, the respondents are directed to release the legally admitted/entitled amount to the petitioner at the earliest, and at any rate, within a period of six(06) weeks from the date of receipt of copy of this order and the petitioner is at liberty to approach appropriate forum for recovery of balance amount and interest, if any. There shall be no orders as to costs.

Accordingly, the writ petition is **disposed of**. No costs.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

17.08.2023,
BRS