

IN THE HIGH COURT OF ANDHRA PRADESH : AMARAVATI

THE HON'BLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION No.20277 OF 2023

Between:

Gorla Chakrapani Reddy, S/o Gorla Obul Reddy, Aged about 54 years, Occ: Contractor, R/o 15/2-5-4-11-1, Ratakonda Reddappa Naidu Colony, Near E-Seva, Madanapalle, Chittoor District, Andhra Pradesh – 517325.

... Petitioner

And

The State of Andhra Pradesh, represented by its Principal Secretary, Dept. of Municipal Administration and Urban Development Secretariat, Velagapudi, Amaravati, Guntur District and three others.

... Respondents

Counsel for the petitioner : Ms.Rithvika Koganti

Counsel for respondent Nos.1 & 3 : GP for Municipal Administration

Counsel for respondent No.2 : GP for Finance

Counsel for respondent No.4 : Sri N.Ranga Reddy,
Standing Counsel

ORDER

The above writ petition is filed to declare the action of respondent authorities in not releasing the final admitted amount of Rs.52,73,364.98/- (Rupees Fifty Two Lakhs Seventy

Three Thousand Three Hundred and Sixty Four Rupees and Ninety Eight Paise only) to the petitioner as per Contract Agreement in respect of work executed by the petitioner i.e. transportation of drinking water through private water tankers to P & T colony sump, as illegal and arbitrary.

2. Heard Sri M.Venkat, learned counsel representing Ms.Rithvika Koganti, learned counsel for the petitioner and Sri N.Ranga Reddy, learned Standing Counsel appearing for respondent No.4.

3. In Para No.5 of counter affidavit filed on behalf of respondent No.4, it was stated as under:

“It is submitted that the Municipality has requested to the Commissioner & Director of Municipal Administration, A.P., Vaddeswaram for requesting to release of the funds of Rs.468.19 lakhs under Adverse Seasonal Conditions Grant towards payment of pending bills for transportation of water through private tankers vide this office letters Roc.No.1807/E1/2016, dt: 26.02.2022, 15.04.2023 & 18.07.2023 cited. Meanwhile, the proposals are submitted to the Government by the Commissioner and Director of Municipal Administration and the proposals are under examination at Government.

Necessary action will be taken for payment of the above pending payment to the petitioner after receipt of the funds from the Government.”

4. Thus, as seen from the pleadings and material papers available on record, there is no dispute regarding execution of work and entitlement of petitioner for an amount of Rs.52,73,364.98/- (Rupees Fifty Two Lakhs Seventy Three Thousand Three Hundred and Sixty Four Rupees and Ninety Eight Paise only), as per the agreement.

5. In view of the above, the Writ Petition is disposed of directing the respondent authorities to release an amount of Rs.52,73,364.98/- (Rupees Fifty Two Lakhs Seventy Three Thousand Three Hundred and Sixty Four Rupees and Ninety Eight Paise only) to the petitioner, within a period of four (04) months from today. There shall be no order as to costs.

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

JUSTICE SUBBA REDDY SATTI

Date : 08.01.2024
TVN

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