

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

THE HON'BLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION No.20363 of 2023

Between:

K. Nagaraju,
S/o K. Lakshmanna,
Aged about 63 years,
R/o H.No.112, MIG,
Adoni, Kurnool.

....Petitioner

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Municipal Administration &
Urban Development, Secretariat,
Velagapudi, Guntur District
and 2 others.

....Respondents

ORDER:

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for the 2nd respondent and the learned Standing Counsel for the 3rd respondent.

2. This Writ Petition is filed questioning the action of the respondent Nos.2 and 3 in not paying the bill amount of Rs.19,14,666/- for the work executed under the Agreement dated 18.12.2018 by laying the C.C road at Pedda Shakti Gudi area I E.W.No.40 in Adoni Municipality under SDF 2018-19 funds even after finalizing the bill.

3. The learned counsel for the petitioner submits that even after execution of the above said work under the above said agreement, the above said bill amount has not been paid by the respondent Nos.2 and 3 so far.

4. On the other hand, the learned Standing Counsel relying upon the counter affidavit of the 3rd respondent, submits that the petitioner executed the work under an agreement No.234/2018-19, dated 18.12.2018 for a sum of Rs.21,68,000/-. The 3rd respondent Office submitted the payment of pending bills under SDF to Chief Planning Officer, Kurnool as per revised proformas I & II along with certificate and work list of pending payments for onward submission to the Government. The 3rd respondent office also uploaded workwise details and balance works under SDF in the HERB Payroll portal works. Due to paucity of funds, the 3rd respondent is unable to pay the pending bill amount of works, from Municipal General Fund. As soon as the Government releases the SDF funds, the 3rd respondent will process the pending work bills for payment to the Contractor.

5. In view of the above said facts and circumstances, the respondent Nos.2 and 3 are directed to pay the bill amount of Rs.19,14,666/- to the petitioner by duly verifying the same, as expeditiously as possible, within a period of eight (08) weeks, from the date of the receipt of this order, by complying with all the formalities and the eligible amount shall be released to the petitioner.

6. Accordingly, the Writ Petition is disposed of. No order as to costs.

As a sequel, Miscellaneous Petitions pending, if any, shall stand closed.

JUSTICE B KRISHNA MOHAN

09.10.2023
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Dt.09.10.2023

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