

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No.20709 of 2023

ORDER:

1. The present writ petition is filed aggrieved by the action of the respondents in not releasing the Withheld Amounts and Earnest Money Deposit amounts of Rs.47,865/ & Rs.18,125/- vide M Book No.2036 MI, Rs.50,093/- & Rs.20,000/- vide M. Book No.801 MI, Rs.67,448/- & Rs.23,625/- vide M. Book No.1447 MI, Rs.69,140/- & Rs.24,250/- vide M Book No.2742 MI and Rs.33,901/- & Rs.12,800/- vide M Book No.2037 MI.

2. Learned counsel for the petitioner submits that the petitioner has entered into various agreements with the respondents under various Agreements for the works in Kurnool District and he completed the work as per the agreements. Execution of work was entered into measurement book prepared by the respondent authorities without noticing any defects. The amount for execution of work was paid to the petitioner, but the Withheld Amount & Earnest Money Deposits was not released even after completion of defect liability period. The petitioner has approached the respondents several times for reimbursement of the Withheld Amount & Earnest Money Deposits. As the respondents have failed to release the Withheld Amount & Earnest Money Deposits, the petitioner is seeking

a direction to the respondent authorities for release of Withheld Amount & Earnest Money Deposits.

3. Heard the learned counsel for the petitioner and learned counsel for the respondents.

4. Learned Government Pleader submitted that the respondents are ready to pay the amounts due to the petitioner.

5. Keeping in view facts and circumstances of the case, submissions made by both learned counsel and on perusing the material placed on record, as there is no justification in withholding the Withheld Amount & Earnest Money Deposits, even after completion of defect liability period and completion of the work allotted by the respondents, this Court deems it appropriate to direct the respondents to release the Earnest Money Deposit, Withheld Amounts or Future Security Deposit amounts due to the petitioner for the last several months.

6. In the result, this Writ Petition is disposed of, directing the respondents to release the Withheld Amounts and Earnest Money Deposit amounts of Rs.47,865/- & Rs.18,125/- vide M Book No.2036 MI, Rs.50,093/- & Rs.20,000/- vide M. Book No.801 MI, Rs.67,448/- & Rs.23,625/- vide M. Book No.1447 MI, Rs.69,140/- & Rs.24,250/- vide M Book No.2742 MI and Rs.33,901/- & Rs.12,800/- vide M Book No.2037 MI to the petitioner within a period of four (04) weeks from

the date of receipt of a copy of this order. There shall be no order as to costs.

7. Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VENKATESWARLU NIMMAGADDA, J

20.11.2023
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