

HON'BLE SRI JUSTICE R. RAGHUNANDAN RAO

WRIT PETITION No.2988 of 2023

ORDER:

The petitioner had been awarded the contracts for taking up "Neeru-Chettu" Programme for Desilting and improvements to Kambala tank in Kapuluppada Village and Construction of Check dam across Amandam Village, Bheemili Mandal, Visakhapatnam District, vide Agreement No.1322/2017-18 dated 15.03.2018 and Agreement 204/2018-19 dated 25.07.2018. After execution of the said works, a final bill for Rs.9,75,690/- had been prepared and submitted to the concerned for payment. As the payment of the said amount has not been made by the respondents, the petitioner had approached this Court, by way of this writ petition.

2. It is the contention of the petitioner that even though the respondents admitted that the petitioner is entitled for payment of the aforesaid sums of money, no payment is being made. The petitioner contends that such non-payment of money is clearly arbitrary and high-handed requiring the interference of this Court.

3. This Court, in various orders, including the judgment of a learned Single Judge of this Court dated 05.10.2021 in W.P.No.10038 of 2021 and batch had taken the view that such non-payment of dues is arbitrary and that such dues need to be cleared by the respondents at the earliest.

4. The learned Government Pleader submits that the respondent authorities are verifying the claims of the petitioner and would be in a position to make payment only after such verification is completed.

5. In view of the aforesaid directions of this Court in various cases and after hearing the submissions of the learned counsel for the petitioner, learned Government Pleader for Irrigation, this writ petition is disposed of with a direction to the respondents to complete the verification process within a period of three weeks from the date of receipt of a copy of this order and thereafter to pay the amount due to the petitioner depending upon the outcome of the verification, within a period of six weeks. It is clarified that in the event of the verification process not being

completed within the aforesaid period of three weeks, the respondents shall pay the amount due to the petitioner, without insisting upon any further time for verification. It would also be open to the petitioner to agitate his/her/their claim for interest, if any payable by the respondents, in an appropriate forum. There shall be no order as to costs.

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

R. RAGHUNANDAN RAO, J

25.04.2023

RKS