

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No. 4213 of 2023

ORDER:-

This writ petition is filed to declare the action of the respondents in not releasing the admitted amount of Rs.34,90,000/- in favour of the petitioner for supplying machinery/equipments to the respondents, as illegal and arbitrary.

The petitioner firm supplied machinery to the respondents like Agriculture Tractors, under the scheme of RYTHU RADHAM, SMAM and CHC. But, the respondent authorities have not released the admitted amount of Rs.34,90,000/- in favour of the petitioner. The grievance of the petitioner is that though the 3rd respondent sent a reply to the representations submitted by the petitioner, *vide* Rc.No.FM/145/2020, dated 08.09.2020, stating that they will clear the bills within two months, but so far they have not paid the amount.

Learned counsel for the petitioner would submit that having approved the bills, non-payment of the bills amount is arbitrary and illegal. The Hon'ble Apex Court as well as this Court in a catena of decisions held that non-payment of admitted bills is illegal and arbitrary and the respondents are under obligation to settle the bills within a reasonable time.

Learned Government Pleader for Agriculture and learned Government Pleader for Finance & Planning would submit that the

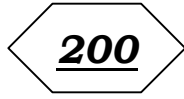
respondent authorities are verifying the claims of the petitioner and would be in a position to make payments only after such verification is being completed.

Having regard to the facts and circumstances of the case, in view of the submissions made by both the learned counsel and on perusal of the material placed on record, this Writ Petition is disposed of with a direction to the respondents to complete the process within a period of four (04) weeks from the date of receipt of a copy of this order and thereafter, to pay the amounts due to the petitioner after determination basing upon the approved final bills by the respondents *vide* proceedings dated 08.09.2020 within a period of six (06) weeks. It would also be open to the petitioner to agitate its claim for interest, if any payable by the respondents in an appropriate forum. There shall be no order as to costs.

As a sequel thereto, interlocutory applications pending, if any in the writ petition, shall also stand closed.

JUSTICE VENKATESWARLU NIMMAGADDA

4th May, 2023
cbn



HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION.No.4213 of 2023

4th May, 2023

cbn