

THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO.4827 OF 2023

ORDER:

The present Writ Petition is filed seeking the following relief:

"..declaring the action of the Respondents in withholding the payment of amount of Rs.60,42,809/- even after finalizing the bills payable to the petitioner in relation to the works i.e., Construction of Additional Dormitories completion of incomplete class rooms and compound wall to APRS complex at Vomaravelli (V) of Gara (M) in Srikakulam District vide agreement No.110/2015-16 dt 20.08.2015 is questioned as the same is illegal, arbitrary and consequently direct the respondents to consider for payment of Rs.60,42,809/- with interest 24 percent per annum for the delayed amount to the petitioner in respect of execution of abovementioned work forthwith and pass such.."

2. Heard Sri Suresh Kumar Reddy Kalava, learned counsel for the petitioner, learned Assistant Government Pleader for Finance, learned Assistant Government Pleader for social welfare and Sri K.Kanakaraju, learned Standing Counsel for APEWIDC.

3. Sri K.Kanaka Raju, learned Standing Counsel on written instructions dated 12.09.2023 submitted that, the authorities have admitted to pay the legally entitled amount to a tune of Rs.60,42,809/- as claimed by the petitioner and due to insufficient budget and non-availability of HOA requested three(03) months time for payment.

4. To the said submission, learned counsel for the petitioner reported no objection.

5. Taking into consideration the submissions of both the learned counsel and as the authorities are ready to pay the legally entitled amount to the petitioner, this court is inclined to **dispose of** the writ petition, at the admission stage with the following direction.

The respondents are directed to release the legally admitted/entitled amount to the petitioner at the earliest, and at any rate, within a period of three(03) months from the date of receipt of copy of this order. It would be open to the petitioner to agitate his claim for interest, if any, payable by the respondents, if he is so advised, in an appropriate forum.

Accordingly, the writ petition is **disposed of**. No costs.

Miscellaneous applications, pending if any, shall stand closed.

12.09.2023,
BRS

JUSTICE RAVI CHEEMALAPATI