

HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No.4922 of 2023

ORDER:

1. The petitioner had been awarded the contract of work(s) under the subject scheme in Kurnool District. After execution of the said contract, a final bill was prepared as per the sanctioned orders. As the payment of the said amount has not been made by the respondents, the petitioner has 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 sum 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. On the other hand, learned Government Pleader for Irrigation while admitting about the claim of the placed on record instructions received from the Executive Engineer, Nandyal, dated 22.12.2023. He would submit that the payments will be made to the petitioner at the earliest.

5. In view of the aforesaid directions of this Court in various cases and after hearing the submissions of learned counsel for the petitioner, learned Government Pleader for Irrigation this Writ Petition is disposed of with a direction to the respondents to release the amount which is due to the petitioner, along with the interest @ 6% per annum, in view of the judgment of the Hon'ble Division Bench of this Court in Writ Appeal No.724 of 2021 and batch dated 12.10.2023, within a period of six (06) weeks from the date of receipt of a copy of this order. It would also be open to the petitioner to agitate his claim for higher rate of interest or due amount, if any payable by the respondents, in an appropriate forum. There shall be no order as to costs.

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

VENKATESWARLU NIMMAGADDA, J

22.12.2023
KMS/BSK

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