APHC010389872026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3457]**
(Special Original Jurisdiction)

WEDNESDAY, THE 12th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 21956/2026

Between:

1. SRI HARSHA INFRATECH, REP.BY. MANAGING PARTNER M.SARVESWARA RAO S/O.M.SATYANARAYANA, AGE 58 YEARS, R/O.67-4-18, MALLIPUDI VARI STREET, ASHOK NAGAR, KAKINADA(URBAN),EAST GODAVARI DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR-522238
2. THE KAKINADA MUNICIPAL CORPORATION, REP BY ITS COMMISSIONER, KAKINADA, KAKINADA DISTRICT.533001
3. THE EXECUTIVE ENGINEER, KAKINADA MUNICIPAL CORPORATION, KAKINADA, KAKINADA DISTRICT.533001
4. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF FINANCE AND PLANNING, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.522238

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased toissue an appropriate Writ Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in

withholding the payments of pending amounts of Rs. 26,00,000/- (Rupees Twenty Six Lakhs only) finalizing the bills, payable to the petitioner in. relation to the works namely 1. Providing low Laying cc Roads AND Drains and R.C.C. Culverts at vimukti colony road and thotamma vari main road in 6TH division ,Agreement no.16/2023-24,Dated12.10.2023 as bad .illegal, arbitrary, improper, unjust and against the Article 21 of Constitution of India and consequently direct the respondents to pay the for the year 2023, even after amounts of Rs. 26,00,000/- (Rupees Twenty Six Lakhs only) with interest @ 24 PERCENT per annum for the delayed amount till date of realization for the works executed by the petitioner

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Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased

Counsel for the Petitioner:

1. DEVASRI ROSHAN KANCHARLA

Counsel for the Respondent(S):

1. M Krishna Rao SC for skl vzm kkd Municipal Corporations
2. GP FOR MUNCIPAL ADMN URBAN DEV
3. GP FOR FINANCE PLANNING

The Court made the following <u>Order:-</u>

The learned counsel for the petitioner submits that the petitioner was entrusted with the execution of the works. The grievance of the petitioner is with regard to the action of the respondents in withholding the pending payment of Rs.26,00,000/- (Rupees Twenty Six Lakhs only), payable to the petitioner in respect of the work, namely, "Providing and Laying CC Roads and Drains and R.C.C. Culverts at Vimukti Colony Road and Thotamma Vari Main Road in 6th Division", under Agreement No.16/2023-24, dated 12.10.2023.

2. It is submitted that the petitioner had completed the works entrusted to him and that the competent authority of the respondents had also approved the payment due and payable to the petitioner. The respondents have also recorded the progress of the works and the amounts due and payable to the petitioner in the M-Book.

3. Heard the submissions of the learned counsel for the petitioner, the learned Government Pleader for Municipal Administration and Urban Development Department, Sri M.Krishna Rao, learned Standing Counsel for the respondent Municipality, and the learned Assistant Government Pleader for Finance and Planning.

4. During the course of hearing, the learned Standing Counsel appearing for the respondent Municipality submits that the works have been completed and that the petitioner has also submitted the final bills and the amounts due

and payable to the petitioner have been duly admitted. It is submitted that further funds are awaited and that, soon after the release of the funds, the bills due and payable to the petitioner shall be cleared.

5. Recording the submissions, this writ petition is disposed of at the admission stage, directing the respondents to verify and release the payments due and payable to the petitioner as expeditiously as possible, preferably within a period of six (6) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

6. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE HARINATH.N

12.08.2026
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