

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.19384 of 2015

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ORDER:

Heard Sri S.Ravi, learned Senior Counsel appearing for Sri M.Sudheer Kumar, learned counsel for the petitioner and Smt.Lalitha, learned Standing Counsel for EFL University-respondent.

2. In this Writ Petition, the petitioner is aggrieved by the action of the respondent in not processing and finalizing the final bill submitted by the petitioner in the year 2013 in respect of the work “construction of additional floors on men’s hospital (old) at EFL University Campus, Hyderabad.” under agreement 30/2008-09,
dt.05-12-2008.
3. The petitioner contends that the said work was entrusted to him under above agreement and he has completed the work by June 2011 and has submitted the final bill in 2013 making claim for certain amounts from the respondent, but the respondent had not either denied liability or made any payments as sought by the petitioner.
4. Learned Standing Counsel for the respondent states that there was an enquiry by the Central Bureau of Investigation (CBI) into matters relating to this construction agreement against some of the employees of the respondent and because records were seized by the CBI, no response could be given to the petitioner’s final bill.
5. Learned Senior Counsel for the petitioner has placed before me the order dt.19-03-2015 of the Principal Special Judge for

CBI Cases, Red Hills, Nampally, Hyderabad in relation to FIR R.C.No.10 (A)/2012 (Referred Charge Sheet entered as SI.No.2 of 2015), by which the said Court had accepted the final report filed by the CBI and closed the case against the employees of the respondent and had also directed that the documents and case properties seized/collected during the course of investigation to be returned to the respondent.

6. In spite of the fact that this order has been passed on 19-03-2015, it is surprising that the respondent has not taken back the records seized from it by the CBI from the office of the CBI. Instead the respondent had made certain allegations against the petitioner in the counter affidavit without specifically denying its liability.
 7. Now that it is possible for the respondent to take return of all the records seized by the CBI in the above case and consider the claim of the petitioner pursuant to the final bill submitted by him in the year 2013, the respondent is directed to inform the petitioner about the decision taken by it in regard to claim made by the petitioner in the final bill submitted by him to the respondent. This exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. Depending on the response of the respondent, liberty is given to the petitioner to avail all remedies open to him at law.
 8. The Writ Petition is disposed of accordingly. No costs.
 9. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.
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JUSTICE M.S.RAMACHANDRA RAO

Date: 25-11-2015

Note:

Issue C.C. in one week.

B/o.

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