

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.5932 of 2011

ORDER:

This writ petition was filed by a Class-I Contractor aggrieved by the non-payment of his final bills by the Telangana University, Nizamabad District. The petitioner claimed that he carried out certain works pursuant to the agreement dated 20.02.2008 but despite completion thereof, the University had not paid the amounts due to him.

By order dated 30.03.2011, this Court directed the respondents to pay the bill amounts due to the petitioner within a time frame.

The University filed a vacate stay petition in the context of the said order contesting certain claims put forth by the petitioner but conceding that after completion of the defects liability period, expiring on 31.08.2011, it would make the payment of Rs.17,14,019/- along with the security deposit of Rs.8,57,010/-. This amount has admittedly been paid.

It is however stated by Sri K.Goverdhan Reddy, learned counsel for the petitioner, that the petitioner was denied the benefit of price adjustment which was given to other similarly situated contractors. He placed before this Court a copy of the representation dated 01.09.2015 addressed by the petitioner to the University citing the cases of others similarly situated who were given such benefit and requesting the University to consider his claim under the final bill along with the price adjustment aspect.

The learned standing counsel for the University admits that the above representation has been received by the University but states that sufficient time may be given to the University to consider the claim of the petitioner thereunder.

In that view of the matter, the writ petition is disposed of directing the respondents to consider the petitioner's representation

dated 01.09.2015 in the light of the cases cited by him which are stated to be similar in nature and thereupon take appropriate action in accordance with the rules. In the event the petitioner's claim under his representation dated 01.09.2015 is not accepted, the University shall pass appropriate orders in that regard setting out the reasons as to why the petitioner's claim is being rejected. This exercise shall be completed expeditiously and in any event, not later than four weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Date:07.09.2015

GJ