

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

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**WRIT PETITION NO. 19252 of 2015**

Between::

C Prasada Reddy S/o Sambasiva Reddy  
R/o Rambhotlavaripalem,  
Cherukupalli mandal, Guntur

.... Petitioner

And

The State of A P  
Rep by its Principal Secretary,  
Revenue Department, Secretariat, Hyderabad and others

.... Respondents

DATE OF JUDGMENT PRONOUNCED : 1.9.2015

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SUBMITTED FOR APPROVAL:

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**THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

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1. Whether Reporters of Local Newspapers may : / No  
Be allowed to see the Judgments ? :

2. Whether the copies of judgment may be marked : / No  
To Law Reporters/Journals :

3. Whether Their Lordship wish to see the fair : / No  
Copy of the Judgment ? :

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 19252 of 2015

ORAL ORDER:

According to petitioner, he was nominated by the Work Committee of the Rambhotlavaripalem Gram Panchayat and accordingly the work of execution of augmentation of single village scheme to Moravagupalem hamlet of Rambhotlavaripalem village was entrusted to him at an estimated cost of Rs.4,00,000/- under the grant of National Rural Drinking Water Programme (for short NRDWP). As per the terms of the agreement, petitioner was required to execute work within four months. Work was entrusted to the petitioner on 27.2.2014 and stipulated period of four months lapsed on 26.6.2014. Having noticed that the work was not commenced by the petitioner even though time granted is lapsed, petitioner was issued with a notice dated 26.6.2015 informing the petitioner to apply for extension of contract period with valid reasons. Said notice was sent through registered post and the same was returned on the ground that addressee is not present in the house on all 8 days when postman visited the house.

2. Subsequently, petitioner was served with proceedings dated 18.12.2014 canceling the work entrusted to him. Challenging the said proceedings, this writ petition is filed.

3. Learned counsel for petitioner submits that said proceedings are served only in March, 2015 and petitioner is always willing to execute the work but he was advised to defer commencement of the work on the ground that funds are not available and it is difficult to provide money to him even if work is executed.

4. There is no material on record to show that efforts are made by the petitioner to commence the work or that petitioner was advised not to commence the work on the ground that there are no finances. It is only the imagination on the part of the petitioner to make such allegation. The original record is produced according to which letter dated 26.6.2014 was

issued granting liberty to petitioner to apply for extension of contract but petitioner has not availed the said opportunity and refused to receive the notice sent to his address. Notice could not be served even though it is sent to his known address. Having waited for considerable time and since petitioner has not commenced the entrusted work, orders are passed on 18.12.2014 canceling the contract.

5. Relationship between the petitioner and respondent is governed by terms of contract entered into with the respondent and it is only a contractual relationship and as per the contract the work should be executed within four months from the date of granting of the work and admittedly petitioner has not executed the work. Whether petitioner is entitled to seek extension of time and whether respondents can grant such extension is a matter between petitioner and respondent, when contract is in force. Admittedly, as of now contract is terminated, therefore the relationship between petitioner and respondent ceased to exist after impugned proceedings.

6. Having regard to the nature of the terms of contract, relief as sought by the petitioner in the writ petition cannot be granted. Accordingly, the writ petition is dismissed. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

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P NAVEEN RAO,J

DATE:1.9.2015  
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HONOURABLE SRI JUSTICE P. NAVEEN RAO

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