

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.16265 of 2010

ORDER:

This writ petition was filed for the following relief:

“to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of respondents in withholding and deducting 0.25% of the gross bill amounts payable to the petitioners towards N.A.C. & C.M Relief Fund by referring to G.O.Ms.No.92, T, R & B (B1) Department dated 19.05.1998, G.O.Ms.No.98 I & CAD Department, dated 05.07.2000, G.O.Ms.No.61 T, R & B Department dated 11.04.2000 and G.O.Ms.No.159 T, R & B Department, dated 30.10.2004, which were set aside by this Court as illegal and unconstitutional and consequently direct the respondents not to recover 0.25% of amount towards N.A.C.& C.M Relief Fund from the gross bills payable to the petitioners for the works carried out by the petitioners.”

The issue raised in this writ petition is no longer *res integra*. A learned Single Judge of this Court held that such withholding of amount is bad in law, and against the same, the State preferred W.A. No.2117 of 2005 & batch but the same was dismissed by a Division Bench of this Court on 21.07.2010. The said decision was reported in 2010 (5) ALT 787 (DB) [**State of Andhra Pradesh, rep. by its Special Chief Secretary to Government, Transport, Roads & Buildings (B.I) Department v. National Academy of Construction, Hyderabad rep. by its Director General Sri R.C. Sinha**].

In view of the authoritative decision of the Division Bench of this Court confirming the order of learned single Judge, this Writ Petition is allowed. No order as to costs.

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

A.RAMALINGESWARA RAO, J

21.04.2016

MVA