

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.21405 of 2008

ORDER:

This writ petition, filed under Article 226 of the Constitution of India, assails the alleged inaction on the part of the respondents in adopting the price adjustment for Bitumen and POL for all ongoing works of Bridges, Roads and Buildings vide G.O.Ms.No.252, Transport, Roads & Buildings (R.I) Department, dated 28-08-2008.

Heard, Sri Ch. Satish Kumar, learned counsel for the petitioner and learned Government Pleader for Social Welfare for respondents, apart from perusing the material available before this Court.

According to the petitioner, he is a Class-I Contractor and has been executing the works for more than one and half decades. The State Government issued order vide G.O.Ms.No.252, Transport, Roads & Buildings (R.I) Department, dated 28-08-2008 for adopting the price adjustment for bitumen and POL for every fortnight. The grievance of the petitioner in the present writ petition obviously is non-adherence to the said instructions of the Government by the authorities.

No counter-affidavit is filed, opposing the writ petition nor it is the case of the respondents herein that the said instructions of the Government are superceded later.

So long as the said instructions of the Government vide G.O.Ms.No.252, Transport, Roads & Buildings (R.I) Department,

dated 28-08-2008 are in force, the authorities are required to adhere to the same.

For the aforesaid reasons, the writ petition is disposed of, directing the respondents herein to adhere to G.O.Ms.No.252, Transport, Roads & Buildings (R.I) Department, dated 28-08-2008 to take action if it is in force as on today.

The Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

A.V. SESA SAI, J

July 15, 2016
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