

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**

WRIT PETITION No.3425 of 2016

05.02.2016

Between:

N.Ramesh Kumar and another

.. Petitioners

and

The State of Andhra Pradesh,
represented by its Principal Secretary,
Panchayat Raj and Rural Development Department,
Hyderabad and others

.. Respondents

Counsel for the petitioners: Mrs.C.Vani Reddy

Counsel for respondent No.1: Assistant Government Pleader
for Panchayat Raj and Rural Development (AP)

Counsel for respondent Nos.2 to 5: --

The Court made the following:

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ORDER:

The petitioner, who was entrusted with the work of levelling and filling of low lying lands in Indiramma Urban colonies at Bhimavaram at the estimated cost of Rs.765.35 lakhs, feels aggrieved by nonpayment of bills and deposits, following the termination of contract, *vide* proceedings No.AE6/IHL/BVRM/Levelling of house sites/2015, dated 19.01.2016, of respondent No.2.

The relevant portion of the proceedings, dated 19.01.2016, reads as under:

“Under the circumstances explained above, the agreement for the work “Leveling and filling of low lying lands in Indiramma Urban Housing colonies at Bhimavaram, Estimate cost of Rs.765.35 lakhs” sanctioned under APSHCL grant is hereby cancelled, as per the representation of the Contractor and as recommended by the Executive Engineer, PRI division, Narasapur, duly refunding the deposits paid by him at the time of concluding the agreement for the work and dues, if any, as the reasons are not attributed to the Contractor.”

From the above reproduced part of the proceedings of respondent No.2, it is evident that the contract/agreement was cancelled subject to the right of the petitioners to the refund of deposits and payment of the dues, if any, payable to them. The petitioners claim that apart from the deposits, they are entitled to payment of bills for the work done.

Respondent Nos.2 to 5 are, therefore, directed to refund the deposits to the petitioners and also the bills payable, if any, as per the certified Measurement Books, within a period of two months from the date of receipt of a copy of this order.

Subject to the above direction, the Writ Petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.4374 of 2016 filed by the petitioners for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

05th February, 2016
GHN