

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.33335 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking a Writ of Mandamus declaring the inaction of the respondents in releasing bill amounts of the petitioner, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and Smt. J.Koteswari Devi, the learned Standing Counsel for A.P.S.P.D.C.L. representing respondent Nos.2 to 4.

3. It is the case of the petitioner that the respondents entered into an Agreement No.48/2013-14 dated 01.07.2013 with the petitioner for erection of 33/11 KV Substation connected to 33 KV and 11 KV Lines at Dachepally, Mutyalampadu, Kolagutla, Dharmavaram and Ganapavaram in Macherla Operation Division in Guntur District. It is the further case of the petitioner that she has completed the entire work as per the terms and conditions of the agreement. The grievance of the petitioner is that even after completion of the entire work, the respondents have not paid bill amounts to the petitioner to the tune of Rs.74,17,000/-.

4. The respondents are competent persons to say whether the petitioner has completed the entire work as per the terms and conditions of the contract agreement or not. The petitioner submitted a representation to the second respondent on 06.05.2016 with a request to release the bills in favour of the petitioner. For one reason or other, the second respondent has not disposed of the said representation of the petitioner.

5. At the time of arguments, the only relief sought for by the learned counsel for the petitioner is to direct the second respondent to consider the representation of the petitioner dated 06.05.2016 and release the bill amounts. The learned Standing Counsel also consented for the same.

6. In view of the submissions made by the learned counsel for both parties, this Court is not inclined to go into the merits of the main case.

7. Having regard to the facts and circumstances of the case and also the submissions made by the learned counsel for both parties, the second respondent is hereby directed to consider the representation of the petitioner dated 06.05.2016 and pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of two (2) months from the date of receipt of a copy of this order.

8. With the above direction, the Writ Petition is disposed of. No costs.

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

T.SUNIL CHOWDARY, J

Date: 29.09.2016
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