

**HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No.12965 of 2016**

**ORDER:**

Challenging the action of the 4<sup>th</sup> respondent in not releasing the pending bills to a tune of Rs.17,72,009/- in respect of the stock supplied by the petitioner firm including return of security deposit of Rs.3,50,000/- and bank guarantee of Rs.5,25,000/- lying with the respondents, the present Writ Petition is filed.

The case of the petitioner is that the petitioner-firm has knocked the bid for package of 1 kg., wheat in respect of zone-1 and zone-3 of Rangareddy District by quoting lower price. Accordingly the 2<sup>nd</sup> respondent-Corporation entered into an agreement with the petitioner firm on 19.05.2015, which is valid upto 31.03.2016. As per the terms and conditions of the said agreement, the petitioner had furnished a bank guarantee of Rs.5,25,000/- apart from EMD of Rs.1,00,000/- and the Security Deposit of Rs.3,50,000/-. While the things stood thus without any default on his part and without any prior notice the 3<sup>rd</sup> respondent had issued termination of contract order dated 12.08.2015, however, the same was set aside by this Court vide orders dated 19.11.2015 in W.P.No.29516 of 2015. Thereafter, the petitioner made an application dated 19.02.2016 to the 4<sup>th</sup> respondent requesting to release the pending bills for the months of June, 2015 to August, 2015 for the work done by the petitioner's firm, apart from that requested to release the security deposit, bank guarantee and EMD deposits made by him. Since the respondent authorities have not taken any action on his representation, the petitioner filed the present writ petition.

Learned counsel for the petitioner submits that in relation to the contract agreement executed by the petitioner with the respondent-Corporation, the petitioner made a representation dated 19.02.2016 to the 4<sup>th</sup> respondent for release of his pending bills and other amounts as

stated supra and seeks a direction to the respondent authorities to consider the representation of the petitioner and release the amounts as prayed for.

On the other hand, learned standing counsel for the respondents on instructions submits that his clients do not have any objection to consider the representation made by the petitioner without prejudice to their rights under the contract.

In the light of the submissions made by the respective counsel and especially considering the innocuous prayer of the petitioner, I deem it appropriate to dispose of the writ petition, without expressing any opinion, directing the respondent authorities to consider the representation made by the petitioner within a period of eight weeks from the date of this order and pass appropriate orders.

With the above direction, the writ petition is disposed of. No order as to costs. Miscellaneous Petitions, if any pending in this writ petition shall stand closed.

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**CHALLA KODANDA RAM,J**

Date:27.04.2015.

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