

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

WRIT PETITION No.7016 of 2006

ORDER:

It is represented by the learned counsel for the petitioner that the issue raised in the present Writ Petition is squarely covered by the order of this Court in W.P.No.21401 of 2004 and batch, dated 23.03.2005, wherein this Court held as follows:

“In the light of the decision taken by the respondents under the letter dated 15.12.2004, I am of the view that the seigniorage charges on “ordinary earth” in respect of the works entrusted to the petitioners under the respective agreements cannot be recovered. Accordingly, the Writ Petitions are disposed of directing the respondents not to withhold any seigniorage charges on ordinary earth from the on account and final bills of the petitioners in respect of the works entrusted to them under the agreements in question. However, if the amounts are already deducted, it is for the petitioners to work out the appropriate remedy for refund of the same. It is also made clear that this shall not preclude the State Government to recover the seigniorage charges directly from the petitioners in case any such decision is taken, following due process of law.”

Following the above said order and for the reasons recorded therein, this Writ Petition is also disposed of in terms thereof.

Miscellaneous petitions, if any, shall also stand disposed of. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 07.06.2017
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