

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

FRIDAY, THE NINETEENTH DAY OF JUNE
TWO THOUSAND AND NINE

:PRESENT:

THE HON'BLE MS JUSTICE G.ROHINI

W.P.M.P NO: 15390 of 2009

IN

W.P.NO: 11945 of 2009

Between:

- 1 V. Venkateswara Rao S/o. Gangadhara Rao
Shop No.21, IGMS Complex, Labbipet, Vijayawada 520 010, Krishna District.
- 2 M/s. Vallabhaneni Constructions Private Limited,
Shop No.21, IGMS Complex, Labbipet, Vijayawada 520 010, rep. by its Managing
Director, V. Venkateswara Rao.
- 3 M/s. RAghava & Co, Flat No.404, Saibalarama Residency, Near Jyothi Mahal,
Labbipet, Vijayawada, Krishna District, rep. by its Managing Partner B. raghava Rao,
S/o. Venkateswara Rao, aged about 34 Yrs.
- 4 M/s. Dwaraka Tirumala Constructions, D.NO.28-1-38, 7th Lane, Santhinagar, Eluru,
West Godavari
District, rep. by its Executive Partner V. Satish Chowdary, S/o. Chalapathi Rao, aged
about 27 Yrs.
- 5 Sree Sai Constructions, D.NO. 59-7-18/6 A, Ramachandra Nagar, Vijayawada,
Krishna District, rep. by its Managing Partner G. Gopala Krishna, S/o. Veerragavaiah,
aged about 57 Yrs.
- 6 B. Ravichandra S/o. Dasaradaha Ramaiah
28-1-133/2, Santhinagar, III Lane, Eluru, Mandalam, W.G. District.
- 7 K.C.P. Projects Ltd., 1-2-339/1, Street No.6, Gagan Mahal, Domalguda, Hyderabad.
rep. by its Executive Director K. Susheel Kumar, S/o. K.C Pullaiah, aged 37 years

..... Petitioner(s)

(Petitioner in WP.No : 11945 of 2009
on the file of High Court)

AND

- 1 The Government of Andhra Pradesh, rep. by its Principal Secretary, Finance &
Planning (Works & Projects)Department
Secretariat Buildings, Hyderabad.
- 2 The Dy. Financial Advisor and EODS to Government Secretariat, Hyderabad.
- 3 The Prinicipal Secretary, Municipal Administration,
Government of Andhra Pradesh, Secretariat, Hyderabad.
- 4 The Prinicipal Secretary, Panchayat Raj Department,
Government of Andhra Pradesh, Secretariat, Hyderabad.
- 5 The Prinicipal Secretary, Irrigation Department,

- Government of Andhra Pradesh, Secretariat, Hyderabad.
- 6 The Principal Secretary, Roads & Buildings, Transport Department,
Government of Andhra Pradesh, Secretariat, Hyderabad.
- 7 The Commissioner, Municipal Corporation, Vijayawada, Krishna District.
- 8 Andhra Pradesh Industrial Infrastructure Corporation, Chirag ali Lane, Hyderabad rep.
by its
Vice Chairman & Managing Director
- 9 The Engineering-in-Chief, Administration & NH, Erramanzil, Hyderabad.
- 10 The Engineering-in-Chief, Roads, Erramanzil, Hyderabad.
- 11 The Chief Engineer - HUDCO & 12th Finance, Erramanzil, Hyderabad.
- 12 The Chief Engineer - NABARD, Erramanzil, Hyderabad.
- 13 The Chief Engineer - Panchayat Raj Department NABARD, Erramanzil, Hyderabad.
- 14 The Chief Engineer - Panchayat Raj & Administration, SRTGN Bhavan, Erramanzil,
Hyderabad.
- 15 The Engineer-in-Chief, PR PMGSY, Erramanzil, Hyderabad.
- 16 The Superintendent Engineer, Irrigation Circle,
Vijayawada, Krishna District.
- 17 The Superintendent Engineer, (R&B) Circle,
Vijayawada, Krishna District.
- 18 The Superintendent Engineer, (R&B) Circle,
Eluru, Krishna District.
- 19 The Superintendent Engineer, (R&B) Circle,
Khammam, Khammam District.
- 20 The Superintendent Engineer, (R&B) NH
Vijayawada, Krishna District.
- 21 The Superintendent Engineer, (R&B) NH
R.R. District, Hyderabad.
- 22 The Superintendent Engineer, (R&B) Rural Circle,
Hyderabad.
- 23 The Superintendent Engineer, (R&B)
Nalgonda.
- 24 The Superintendent Engineer, T.W. Department, Visakhapatnam,
Visakhapatnam District.
- 25 The Superintendent Engineer, P.R.
PRED, Eluru
- 26 The Superintendent Engineer, P.R.
Vijayawada.
- 27 The Superintendent Engineer, P.R.
Khammam.
- 28 The Superintendent Engineer, (R&B) Division
Vijayawada, Krishna District.
- 29 The Superintendent Engineer, (R&B) Division
Eluru, West Godavari District.
- 30 The Executive Engineer, (R&B) Division
Khammam.
- 31 The Executive Engineer, (R&B) Division
Kothagudem.
- 32 The Executive Engineer, (R&B) Division
Bhadrachalam
- 33 The Executive Engineer, (R&B) Division
Mylavaram, Krishna District.
- 34 The Executive Engineer, (R&B) Division
Machilipatnam, Krishna District.
- 35 The Executive Engineer, (R&B)
Bhuvanagiri
- 36 The Executive Engineer, (R&B)

- Miryalaguda
- 37 The Executive Engineer, (R&B)
City Roads, Hyderabad.
 - 38 The Executive Engineer, Panchayat Raj,
Kavali.
 - 39 The Executive Engineer, Panchayat Raj,
Machilipatnam.
 - 40 The Executive Engineer, Panchayat Raj,
Nalgonda.
 - 41 The Executive Engineer, Panchayat Raj,
Nuzvid.
 - 42 The Executive Engineer, Panchayat Raj,
Khammam.
 - 43 The Executive Engineer, Panchayat Raj,
Jangareddygudem, W.G. District.
 - 44 The Executive Engineer, T.W. Department,
K.R. Puram, W.G. District.
 - 45 The Executive Engineer, T.W. Department,
Visakhapatnam.
 - 46 The Executive Engineer, T.W. Department,
K.R. Puram, W.G. District.
 - 47 The Executive Engineer, (R&B) N.H. Division
Vijayawada.
 - 48 The Executive Engineer, (R&B) N.H. Division
Hyderabad.
 - 49 The Executive Engineer, (R&B) Division
Kovvur, West Godavari District.
 - 50 The Executive Engineer, (R&B) Division
Bhimavaram
 - 51 The Executive Engineer, Drainage Division
Gudivada, Krishna District.
 - 52 The Executive Engineer, Panchayat Raj,
Vijayawada, Krishna District.
 - 53 The Jonal Manger, A.P.I.I.C. Autonagar,
Vijayawada,
 - 54 The Executive Engineer, Vijayawada Municipal Corporation,
Vijayawada,
 - 55 The Pay and Accounts Officer, (YRS)
Kakinada, East Godavari District.
 - 56 The Pay and Accounts Officer, (Drainage Scheme),
Eluru, West Godavari District.
 - 57 The Pay and Accounts Officer, (W & P)
Vijayawada, Krishna District.
 - 58 The Pay and Accounts Officer, Nalgonda.
 - 59 The Pay and Accounts Officer, NSP, Tekulapalli, Khammam.
 - 60 The Pay and Accounts Officer, G.V. Gudem, Nalgonda.
 - 61 The Pay and Accounts Officer, R.R. District, Hyderabad.
 - 62 The Assistant Pay and Accounts Officer, Somasila, Nellore District.
 - 63 The Regional Pay and Accounts Officer, NH, Bangalore.
 - 64 The Assistant Pay and Accounts Officer, NS Projects, Hill Colony, Nalgonda District.
 - 65 A.P. Cooperative Oil Seeds Grower's Federation Ltd., Parisaram Bhavan,
Basheerbagh, Hyderabad,
rep. by its Vice Chairman & Managing Director,

.....Respondent(s)

(Respondents in -do-)

Counsel for the Petitioners:Sri .P.GIRISH KUMAR

Counsel for the Respondents 1 & 2: GP FOR FINANCE & PLANNING

Counsel for the Respondent No.3:GP for GAD

Counsel for the Respondent Nos.4 to 8:GP for Panchayat Raj

Counsel for the Respondent Nos.9 to 65:GP for Irrigation

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in WP., the High Court may be pleased to direct the respondents to include 1% towards amount towards Labour Cess in terms of Memo No.4763/PFS.F8(A1)/98-4, dt. 28.08.2008 by revising the estimates for all the payments made from 26.06.2007 onwards relating to the works undertaken by the petitioners in the interest of justice, pending WP.NO.11945 of 2009 on the file of the High Court.

The Court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Notice.

There shall be interim direction to the respondents to consider inclusion of 1% labour cess in all the estimates of the works allotted to the petitioners, duly revising the estimates, in terms of U.O.Note No.4763/PFS.F8(A1)98-4 dated 28-2-2008 and pass appropriate orders as per law, within a period of two weeks from the date of receipt of a copy of this order, and communicate the same to the petitioner.

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

- 66. One spare copy**
- 67. One CC to Sri P.Girish Kumar,advocate (OPUC)**
- 68. Two CCs to the GP forFINANCE & PLANNING ,High court of AP.,HYD (OUT)**
- 69. Two CCs to the GP for GP for GAD, High court of AP.,HYD (OUT)**
- 70. Two CCs to the GP for :GP for Panchayat Raj, High court of AP.,HYD (OUT)**
- 71. Two CCs to the GP for Irrigation, High court of AP.,HYD (OUT)**

KHB

High COURT

RG,J

DATED:19-06-2009

ORDER:

WPMP.NO.15390/2009

IN

WP.NO.11945/2009

NOTICE

DIRECTION

KHB

DRAFTED ON:20-6-2009

High COURT

RG,J

DATED:19-06-2009

ORDER:

WPMP.NO.15390/2009

IN

WP.NO.11945/2009

NOTICE

DIRECTION

