

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.32062 of 2016

ORDER:

This writ petition is filed by the petitioner, under Article 226 of the Constitution of India, seeking to declare the inaction of the 2nd respondent herein in paying the legal fees due to the petitioner, as per the claim made by the petitioner through her various fee bills, in spite of several representations of the petitioner herein addressed to the 2nd respondent, dated 25.02.2014, 26.06.2014, 28.01.2015, 26.06.2015, 02.11.2015 and 22.04.2016, as illegal, arbitrary, *mala fide*, unconstitutional and consequently direct the 2nd respondent herein to forthwith pay the arrears of legal fees and expenses due to the petitioner as per the various bills submitted by the petitioner to the 2nd respondent herein.

2. Heard both sides and perused the material available on record. With the consent of both the learned counsel, the writ petition is taken up for disposal at the stage of admission.

3. The case of the petitioner is that the petitioner has been informed through the proceedings of the 2nd respondent in Rc.No.W.P.19883/93/J1, dated 26.02.2005, that the 2nd respondent had considered to utilize the services of the petitioner as Additional Standing Counsel of Visakhapatnam Urban Development Authority to deal with the matters in this Court and other Courts at Hyderabad and that vide proceedings RC.No.327/91/A1, dated 14.07.2006, issued by the 2nd respondent herein, the petitioner was duly informed about the fees structure and vide proceedings RC.No.327/81/A1, dated

22.09.2006, of the office of the 2nd respondent, the petitioner was informed that the fee for final disposal of the case was fixed at Rs.5,000/- and vide proceedings of the Secretary to Government Legal Affairs (FAC) vide G.O.Rt.No.294, dated 02.02.2011, the petitioner was reappointed as Standing Counsel for VUDA for a further period of three years from the date of expiry of her terms or till the termination of her services, whichever is earlier. It is further submitted that the petitioner's services as Standing Counsel ended in the month of October, 2013, and the petitioner was relieved of the said post. Thereafter, the petitioner corresponded to the 2nd respondent through representation, dated 25.02.2014, requesting to clear the dues of the petitioner by paying the Advocate fees and expenses, which were due to the petitioner since a long period of time. The petitioner has also raised her bills as per rules in respect of all matters dealt by the petitioner as a Standing Counsel. The petitioner further submitted representations, dated 26.06.2014, 28.01.2015, 26.06.2015, 02.11.2015 and 22.04.2016, requesting to release the amount due to the petitioner, but so far no action is taken by the 2nd respondent and the same are pending consideration.

4. When the matter is taken up, both the learned counsel agreed for disposal of the writ petition with a direction to the 2nd respondent to expeditiously dispose of the representations of the petitioner, dated 25.02.2014, 26.06.2014, 28.01.2015, 26.06.2015, 02.11.2015 and 22.04.2016.

5. Having regard to the same, without expressing any opinion on the merits of the matter, the Writ Petition is disposed of

directing the 2nd respondent to consider the representations of the petitioner, dated 25.02.2014, 26.06.2014, 28.01.2015, 26.06.2015, 02.11.2015 and 22.04.2016, and pass appropriate orders, on the basis of the bills submitted by the petitioner, as warranted by law, as expeditiously as possible, preferably within a period of eight (08) weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

Date: 22nd June, 2017

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288**THE HONOURABLE SRI JUSTICE RAJA ELANGO****WRIT PETITION No.32062 of 2016**Date: 22nd June, 2017

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