

HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No. 1768 of 2017

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

“ to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus (1) declaring the action of the first respondent in not refunding the amount of Rs.2.66 Crores deducted from the petitioner for collapsed/destruction of the project in relation to ‘New Tank formation across Karlapally Vagu in Karlapally Village, Govindaraopet mandal, Warangal District’ as illegal, arbitrary and unconstitutional and direct the first respondent to forthwith refund the amount of Rs.2.66 Crores deducted from the petitioner; and (ii) declare the action of the respondents more particularly the first respondent in applying old SSR rates to the works being undertaken by the petitioner in respect of ‘Construction of NOF Dam in place of the breached portion of the mentioned works, vide sanction proceedings of CEI No.84/201/2011, dated 30.07.2010, through agreement No.52/2010-2011 dated 30.03.2011 as illegal, arbitrary, unconstitutional and consequently direct the respondents to consider the representations dated 18.01.2016 and 30.12.2016 and direct the first respondent to apply the revised new SSR rates of 2016-17 to the petitioner for the ongoing works”.

When the matter is called, it is requested by learned Counsel for the petitioner that for redressal of grievance, the petitioner may be permitted to make a representation to the respondents afresh and the same may be directed to be considered and disposed of in accordance with law in a time frame. The said request is not opposed by other side.

Recording the said submission of learned Counsel for the petitioner and without expressing any opinion on merits or

demerits of the subject matter, the Writ Petition is disposed of keeping open to the petitioner make a representation afresh within a period of two months from the date of receipt of a copy of this order. As and when such representation is made by the petitioner as directed above, the respondent authorities are directed to consider and dispose of the same, in accordance with law, within a period of two months thereafter.

Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

DATED 24th January, 2017.
Msnr_x



JUSTICE A.V.SESHA SAI