

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

WRIT PETITION No.6624 of 2017

ORDER:

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

“.... writ of mandamus directing the respondents to forthwith pay to petitioner a sum of Rs.34,00,000/- with interest at the rate of 12% per annum from the due date in respect of the work of Remodeling (providing C.C. Lining to Bed and sides) of existing Kaddam Canal from km 30.00 to km 32.50 and from km 32.50 to km 35.00 done by the petitioner under Agreement No.1/GVC.I/93-94 dated 13.04.1993 read with Supplemental Agreement No.1/GVC.1/1993-94 dated 31.01.1994 and Agreement No.2/GVC.1/1993-94 dated 31.01.1994 by holding that the withholding of the above amount by the respondents as illegal, arbitrary and being violative of Article 14 of the Constitution of India and pass such other order or orders as this Hon'ble Court deems fit and proper in the interests of justice and in the circumstances of the case.”

Heard the learned counsel for the petitioner and the learned Government Pleader for I & CAD.

Petitioner herein is the civil contractor. His grievance in the writ petition is non-payment of amount due for the works undertaken by him.

A perusal of the material placed before this Court discloses that the 4th respondent-Executive Engineer, I & CAD, Division No.4, GVC-I, Kaddam Narayan Reddy Project, Kaddam, has addressed a letter bearing No.EE/Dvn.4/KNRP/DB/2014-15/183/SE dated 23.01.2015 to the 3rd respondent-Superintending Engineer, quantifying the amount due to the petitioner as Rs.34,00,000/-.

By way of said letter, the 4th respondent requested the 3rd respondent for taking further action in the matter.

The grievance of the petitioner, as submitted by the learned counsel for the petitioner, is that despite the above said letter dated 23.01.2015, no action has been taken by the 3rd respondent and no amounts have been paid so far.

In the light of the above facts, the Writ Petition is disposed of, directing the respondents to take further action pursuant to the letter bearing No.EE/Dvn.4/KNRP/DB/2014-15/183/SE dated 23.01.2015 for payment of amount due to the petitioner herein, within a period of three months from the date of receipt of a copy of this order.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. No order as to costs.

27.02.2017
sur

JUSTICE A.V.SESHA SAI