

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

Writ Petition No.12906 of 2018

ORDER:

Heard learned Counsel appearing for the petitioner and Sri B.Mayur Reddy, learned Standing Counsel for the respondents.

Final Order, dated 21.03.2018, passed by the Depot Manager, Mahabubnagar Depot, ordering recovery of Rs.3,00,000/- with interest at Rs.7.5% p.a., from the regular monthly payment bills in 10 equal instalments, is under challenge in the present Writ Petition.

It is contended by the learned Counsel appearing for the petitioner that since the petitioner herein was not arrayed as party in O.P.No.600 of 2012, he cannot be fastened with the liability.

On the other hand, it is submitted by the learned Standing Counsel that as per clause 11.i of the Conditions of Agreement, dated 10.09.2015, the petitioner herein has to approach the Regional Manager for the redressal of his grievance. The said clause reads as under:-

“It is agreed that in case of any dispute or disagreement between the owner and the Officers of the Corporation with regard to the interpretation of the terms and conditions of this agreement, penalties or fines, amounts due, the decision of the Regional Manager of the Corporation shall be final.”

In view of the said remedy available to the petitioner, the Writ Petition is disposed of, keeping it open for the petitioner herein to file an appropriate application before the Regional

Manager, within a period of one week from the date of receipt of a copy of this Order. If any such application is filed, the 4th respondent shall consider and dispose of the same, strictly in accordance with law. Till final orders are passed by the 4th respondent, no coercive action shall be taken against the petitioner herein.

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

Date :13.04.2018
smr

JUSTICE A.V.SESHA SAI

