

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.16063 of 2017

ORDER:

Heard counsel for the petitioner, the Government Pleader for Civil Supplies appearing for 1st respondent, and Sri K.Raghu Babu, Standing Counsel appearing for respondents 2 & 3.

2. Petitioner's grievance is that there are disputes with the 2nd respondent in regard to CMR for 2012-13, which is subject matter of W.P.No.4683 of 2018; that correctness of an order dt.31.01.2018 issued by the 3rd respondent in regard to the said year is pending adjudication before this Court; and on that pretext respondents 2 and 3 have withheld to the petitioner milling charges, transportation, drriage, custodian and maintenance charges for 2014-15 and 2015-16 as well.

3. In the entire counter affidavit filed by the 2nd respondent only reason assigned for not making payment of those dues for 2014-15 and 2015-16 is the pendency of dispute with the petitioner with regard to 2012-13.

4. In my considered opinion, respondents 2 and 3 are not entitled to withhold the payment towards CMR 2014-15 and 2015-16 on the pretext that a dispute exists with the petitioner for CMR 2012-13.

5. Therefore, the Writ Petition is disposed of directing the respondents 2 and 3 to clear the dues payable to the petitioner for 2014-15 and 2015-16 years towards milling, transportation, driage, custodian and maintenance charges within a period of four (04) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion as to the contentions of either party with regard to supply of CMR for the year 2012-13 which is admittedly pending before this Court in W.P.No.4683 of 2018. No order as to costs.

6. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

01st August, 2018.

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M.S.RAMACHANDRA RAO, J

