

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

WRIT PETITION No.41535 of 2018

ORDER:

Heard learned counsel for the petitioner and the learned Standing Counsel for Central Government, apart from perusing the entire material available on record.

When the matter is taken up, a counter-affidavit, deposed by the Executive Engineer, CPWD, Vijayawada-fourth respondent herein, is placed on record. Paragraph No.10 of the said counter-affidavit reads as under:

“10. With regard to Para No. 7 to 10, I humbly submit that the very next day the contractor withdrawn all of his Labour and staff. The material which are lying at site i.e Steel reinforcement is non-perishable one, hence, he has not put into any loss due to stoppage of work temporarily. A letter from the Principal, JNV, Veleru that there was no work done by the contractor, the copy of same letter also endorsed to the contractor Sri N.Ramakrishna (Annexure-VII copy enclosed). This Respondent vide letter No.55 (24y)/VJCD/ 2018/ 3363 (H) dated:01-12-18 and letter No. 55 (24)/VJCD/ 2018/ 1012, dated:03-12-18 has intimated the contractor to resume the work and directed the field staff also to supervise the work done by the contractor. (Annexure-VIII & IX copy enclosed). Accordingly the petitioner has resumed the work on 04-12-18 and informed this respondent vide petitioner letter no.Nil dated 06-12-2018 (Annexure-X copy enclosed) and the photographs showing the activity of excavation of the work at site. Therefore, the cause in the Writ Petition does not survive.(Annexure- XI & XII attached)”

By placing on record the contents of the said counter-affidavit, to the extent extracted above, this Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

A.V. SESA SAI, J

17th December, 2018
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