

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.1016 of 2018

ORDER

This writ petition is filed seeking the following relief:

“.....to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents in not releasing work order funds, pertaining to petitioner, subsequent to the completion of all the tender works

a) Agreement No.366/2014-15, dated 25.11.2013 for construction of 900 MM DIA 18 Row of S/C of Pedda Cheruvu for a contract value of 8,85,593/- (b) Agreement No.375/2013-14, dated 28.11.2013 for construction of Phase-II Boundary pillars along with foreshore of M.1 tanks in Anumula (v) for an contract value of Rs.8,90,081/- (c) Agreement No.361/2013-14, dated 25.11.2013 for performing improvements to Naikuni Kunta (v) for an contract value of Rs.5,11,869/- (d) Agreement No.404/2013-14, dated 26.12.2013 for performing repairs to Rama Samudram Tank, Silgapur (v) for an contract value of 8,29,893/- (e) Agreement No.374/2013-14, dated 28.11.2013 for construction of Phase-I Construction of boundary pillars along with foreshore of M.1 Tanks for an contract value of 8,83,480/- issued by the 4th respondent as illegal, irregular, arbitrary, irrational, violative of Article 14 of Constitution of India and consequently direct the 2 to 5th respondents to release work order funds of vide Agreement No.366/2014-15, dated 25.11.2013, 375/2013-14, dated 28.11.2013, 361/2013-14, dated 25.11.2013, 404/2013-14, dated 26-12-2013, 374/2013-14, dated 28.11.2013 and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Heard Sri Viplava Simha Reddy, learned counsel appearing for the petitioner and learned Government Pleader for Irrigation and Command Area Development appearing for the respondents.

The grievance of the petitioner is that though he has successfully completed the works in terms of the agreement, the respondents are not releasing the final bill amount.

Learned counsel appearing for the petitioner contended that appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for payment of final bill amount.

Learned Government Pleader appearing for the respondents contended that if the petitioner submits a representation to the respondents, the respondents would consider his case and pass appropriate orders in accordance with law.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the considered view that this writ petition can be disposed of directing the petitioner to submit a claim in the form of representation for release of the final bill amount within a period of two weeks from the date of receipt of a copy of this order. On receipt of such a representation, the respondents shall consider the

same and pass appropriate orders within a period of eight weeks thereafter.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 17.2.2020

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