

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 315 OF 2022

Rupchanad Harichand Khandelwal,
Aged – 58 years, Occu. - Agri. & :
Business,
R/o Congress Nagar, Amravati,
Tq. & Dist. Amravati

PETITIONER

VS.

Commissioner,
Municipal Corporation of City of :
Amravati

RESPONDENT

Mr. D.S. Joshi, Advocate for the petitioner
Mr. J.B. Kasat, Advocate for the respondent

**CORAM : SUNIL B. SHUKRE AND
ANIL L. PANSARE, JJ.**

DATE : 11th February 2022

ORAL JUDGMENT : (Per : SUNIL B. SHUKRE, J.)

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. **Rule.** Rule is made returnable forthwith. Heard finally by consent of the parties.

3. It is not in dispute that the final bill having an amount of Rs.53,34,789/- is pending for due consideration of the respondent i.e. Commissioner, Municipal Corporation of City of Amravati.

4. It is the contention of the learned counsel for the petitioner that this amount is due and payable to the petitioner on

account of the work of construction and strengthening of Amba Nala and other places already completed by the petitioner. It is also submitted by the petitioner that the final bill so placed before the respondent is pending for quite a long time and it is necessary that it is sanctioned by the respondent at the earliest so that the financial burden that the petitioner has already incurred will be reduced substantially. It is also the submission of the learned counsel for the petitioner that for want of payment of this bill, the petitioner is facing severe financial crunch.

5. Considering the long pendency of the bill with the respondent and also considering the fact that the bill has been raised on account of works done in public interest, we are of the view that a public authority like the respondent is under a public duty to discharge its functions fairly, promptly and in public interest. Therefore, we direct the respondent to consider the final bill submitted by the petitioner for an amount of Rs.53,34,789/- for its due sanction and payment and decide the same in accordance with law as early as possible and preferably within three months from today.

6. Rule is made absolute in the above terms. No costs.

JUDGE

MP Deshpande

JUDGE
Digitally signed by: MILIND
P DESHPANDE
Signing Date: 11.02.2022
17:01