

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

W.P.No.10305 of 2017

ORDER

This Writ Petition is with the following prayer;

“to issue an appropriate writ or direction more particularly one in the nature of writ of mandamus directing the respondents to pay the admitted billed amounts in respect of the work executed by the petitioner i e Construction of incomplete Mahila Samakhya Building at Chivemula Village of Suryapet District, under special development fund scheme with interest @ 24% p.a by further declaring the entire action of the respondents in not paying admitted billed amounts to the petitioner in spite of executing the entire entrust to the petitioner as highly illegal, arbitrary, unjust, improper colorable exercise of power”.

2. There is no representation on behalf of the petitioner.
3. In the writ affidavit, it is stated that the petitioner was awarded with the work for construction of incomplete Mahila Samakhya Building at Chivemula Village of Suryapet District vide agreement dated 18-11-2015 and supplementary agreement dated 05-01-2016 with respondent No.4 for estimated cost of Rs.5 lakhs sanctioned under Special Development Fund Scheme for 2013-14. It is stated that the respondents have failed to pay the remaining amount of Rs.2,09,000/- of admitted bill amounts payable to the petitioner in respect of the said work executed by him. It is stated that because of non-payment of the bill amount, the payment to the laborers also withheld and as a result, the petitioner is facing untold hardship. It is stated that this action of the respondents in not paying the amounts along with 24% interest per annum is bad.

4. A counter affidavit is filed on behalf of the respondents.
5. Learned Government Pleader for Finance and Planning submits that as per the proceedings dated 04-07-2017, respondent No.4 has paid an amount of Rs.2,15,000/- vide cheque bearing No.871247 dated 18-07-2017 from CBF A/c, wherein he has paid the amounts in two splits to the petitioner i.e., Rs.2,02,996/- through cheque bearing No.329973 dated 27-07-2017 and Rs.11,615/- through cheque bearing No.00015 dated 18-12-2017, total Rs.2,14,611/-. He submits that as the amounts have already been paid to the petitioner, nothing survives in the present writ petition.
6. Recording the said submission made by the learned Government Pleader for Finance and Planning and looking at the averments in the counter affidavit that respondent No.4 has already paid an amount of Rs.2,14,611/- to the petitioner after filing of this writ petition, the Writ Petition is disposed of. No order as to costs.
7. Miscellaneous petitions, if any pending in this writ petition shall stand closed.

4th January, 2022.

Sj

SMT LALITHA KANNEGANTI, J