APHC010369672026

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

Bench Sr.No:-16 [3584]

WRIT APPEAL NO: 908 of 2026

Pocha Venkata Reddy ...Appellant

Vs.

The State of Andhra Pradesh and others ...Respondents

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CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE CHALLA GUNARANJAN

DATE : 8th October 2026

Present :

Advocate for Appellant : Mr. Thathireddy Ashok Srivastava

Advocates for Respondents : GP for Irrigation and CAD

LISA GILL, CJ.

This Writ Appeal has been filed by appellant/writ petitioner for setting aside order, dated 13.02.2026, passed in W.P.No.22532 of 2025, whereby said writ petition was dismissed.

2. Appellant had filed W.P.No.22532 of 2025 seeking direction to respondents to release the amount of Rs.51,73,954/- along with 12% interest, as said payment was statedly withheld in an illegal manner, even after finalization of bills payable to appellant in relation to work of construction of

lining to Block No.10 Major of Telugu Ganga Project near Bukkapuram Village, Mahanandi Mandal, Kurnool District, to avoid water logging and supply of water to 2L Minor.

3. It was pleaded by appellant that he was awarded the work of construction of lining to Block No.10 Major of Telugu Ganga Project near Bukkapuram Village, Mahanandi Mandal, Kurnool District, to avoid water logging and supply of water to 2L Minor, vide agreement dated 10.07.2017. It is the case of appellant that said work was delayed due to release of water in main canal and 10th block for development of ayacut for a period due to heavy rains; first extension of time was granted up to 30.06.2018; appellant then applied for second extension of time up to 31.08.2019, which was recommended by respondent No.6, but not granted. Appellant contended that he had completed casting of PCC slabs for a quantity of 2700 Sq.mts., by the time he applied for second extension of time; and that total value of work completed by him was Rs.51,73,954/-. Government, it is stated, had stopped all payments under Neeru-Chettu head of account in the year, 2019, and now was resuming release of payments under the head, upon which appellant represented on 28.12.2024 and 31.01.2025 for release of pending amounts.

4. Learned counsel for respondents refuted the averments and pleadings raised by appellant, while stating that appellant had failed to

complete any item of work, despite having been granted extension of time, and therefore, bills for payments cannot be prepared.

5. Learned writ Court, on considering facts and circumstances, concluded that there are disputed questions of fact and there is no material on record to indicate the works been completed by appellant/writ petitioner, and therefore, writ petition was dismissed. Aggrieved therefrom, present writ appeal has been filed.

6. Learned counsel for appellant vehemently reiterated arguments raised before learned writ Court and referred to photographs attached with writ petition as well as communication, dated 27.07.2019, from Executive Engineer, TGP Distributory Division No.1, Nandyal, to the Superintending Engineer, TGP Circle, Nandyal, to submit that parts of the work had been completed as is reflected, therefore, stand of respondents is not tenable. It is thus prayed that this writ appeal be allowed.

7. Learned counsel for respondents had refuted the averments while supporting impugned order, dated 13.02.2026, dismissal of this writ appeal is sought.

8. We have heard learned counsel for parties and have perused the file with their able assistance.

9. Allotment of work vide agreement dated 10.07.2017 to be completed within three months is a matter of record. As per respondents, extension was afforded twice, but still petitioner could not complete the work in full shape, therefore, measurements of complete works could not be carried out. We take note of specific averments in counter affidavit filed before learned writ Court as well as affidavit of Executive Engineer, TGP Distributory Division No.I, Nandyal, dated 30.09.2026, filed in present proceedings to the effect that in case appellant is able to show that he has completed any item of work in full shape, as per terms and conditions of agreement, respondents are ready to pay the bills as per agreement. Items of work in full shape, it was reiterated, have not been completed by appellant, due to which completion certificates and preparation of bills for entire work could not be prepared. Reference to communication dated 27.07.2019, it was submitted, does not indicate completion of work in full shape, therefore, they cannot release of payments partially as urged by appellant.

10. In the given factual matrix, learned Single Bench has correctly concluded that the Court cannot come to any final conclusion with regard to completion of works by reliance on documents attached with present writ petition and it is not within the province of the Court to undertake a detailed factual assessment or determine the extent of work allegedly completed by appellant on the basis of disputed material, in exercise of jurisdiction under

Article 226 of Constitution of India and that appellant is at liberty to take steps before appropriate forum in accordance with law.

11. Learned counsel for appellant is unable to point out any illegality, irregularity or infirmity in impugned order, dated 13.02.2026, which falls for interference in exercise of appellate jurisdiction. Writ Appeal is accordingly dismissed while upholding liberty to writ petitioner/appellant to avail remedy/remedies as may be available in accordance with law. No costs.

Consequently, connected miscellaneous applications, if any, shall stand disposed of.

LISA GILL, CJ

CHALLA GUNARANJAN, J

kbs

Whether the order is Speaking/Reasoned : Yes / No

Whether the order is Reportable : Yes / No

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HON'BLE MRS. JUSTICE LISA GILL, CHIEF JUSTICE
&
HON'BLE MR. JUSTICE CHALLA GUNARANJAN

W.A.No.908 of 2026

Dt: 08.10.2026

kbs