APHC010421802024

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

TUESDAY, THE 10th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 21962 OF 2024

Between:

1. K. Krishnam Raju,, S/o.Suryanarayana Raju Aged 67 years, Contractor, R/o. F.No 202, NKR Residency, D.No 13-25/1,Kanuru (V), Penumaluru (M), Vijayawada, Krishna District.,

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep. by its Principle Secretary, Social Welfare Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur Dist.,

2. The State of Andhra Pradesh, Rep. by its Principle Secretary, Finance Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur Dist.,

3. The Engineer in Chief, APEWIDC, Vaddeswaram, Tadepalli, Guntur District.

4. The Managing Director APEWIDC, Andhra Pradesh Education and Welfare Infrastructure Development Cooperation, Vadeswaram(V), Tadepalli(M), Guntur District.,

5. The District Collector, NTR District, at Vijayawada.

6. The State of Andhra Pradesh, Rep. by Principle Secretary, Higher Education department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.

7. The Principal S RR and C V R College, Govt Degree college, Machavaram, Vijayawada, NTR District - 04.

8. The Executive Engineer, A P E W I D C, 15/1-9/A/GF-A, M4, Srinivasa enclave, Brundavan colony, Vijayawada -10. RR 5 to 8 are impleaded as per Courts Order Dt. 10.09.2026 in I.A.No.2 of 2024

...RESPONDENTs

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue order or orders, direction or directions. Writ or Writs particularly one in the nature Writ of Mandamous or any appropriate writ declare the action of the respondents in not paying the bills for execution of work vide 1) Agreement No. /CE/APEWIDCA/JA/2022-23, Dt 21-12-2022, Total work amount of Rs. 1,22,70,797/-. to the petitioner with 6percent interest till to day from the date of completion of respective works as illegal, arbitrary violation of principles of natural justice and violative of Article 14, 19 (i)(g), 21 of the Constitution of India, consequently direct the respondents to release the bills for the above completed works immediately with 6percent interest and to pass

Counsel for the Petitioner: K L N SWAMY

Counsel for the Respondents: M LAKSHMI NEELIMA SC For APEWIDCL
Counsel for the Respondents: GP FOR SOCIAL WELFARE

Counsel for the Respondents: GP FOR FINANCE PLANNING

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The Court made the following order:

The petitioner had been awarded the contract of work(s) under the subject scheme in NTR District. After execution of the said contract, a final bill was prepared for a sum of Rs.1,22,70,797/- as per the sanctioned orders. As the payment of the said amount has not been made by the respondents, the petitioner has approached this Court by way of this writ petition.

2. It is the contention of the petitioner that even though the respondents admitted that the petitioner is entitled for balance payment of Rs.1,22,70,797/- no payment is being made. The petitioner contends that such non- payment of money is clearly arbitrary and high-handed requiring the interference of this Court.

3. This Court, in various orders, including the judgment of a learned Single Judge of this Court dated 05.10.2021 in W.P.No.10038 of 2021 and batch had taken the view that such non-payment of dues is arbitrary and that such dues need to be cleared by the respondents at the earliest.

4. On the other hand, learned Standing Counsel for the APEWIDC has placed on record the written instructions received from the Executive Engineer, APEWIDC Division, Machilipatnam admitting the net amount yet to be paid to the petitioner is Rs.1,18,83,502/-. Learned Standing Counsel submits that the payment will be processed within six months. For which,

learned counsel for the writ petitioner has expressed his consent to receive Rs.1,18,93,502/- towards the net admitted amount after recoveries.

5. In view of the aforesaid directions of this Court in various cases and after hearing the submissions of learned counsel for the petitioner and learned Standing Counsel for Corporation, this Court deems it appropriate to dispose of this Writ Petition.

6. In fact there is no admission by the Respondents either in their Written Instructions regarding the payment of interest component or by oral submissions made by the Government Pleader/Standing Counsel for Respondents. Much less, the interest component as claimed by the petitioner was neither admitted nor approved at their final bills of the respondents. Hence, in the absence of any such admission, this Court is not inclined to grant any specific amount as it admitted under the head of interest. However, the Petitioner is entitled for interest component as per the terms of Agreement if permits and also in the case of delayed payments, as per the ratio laid down by the Division Bench of this Court in W.A.No.724 of 2021.

7. Therefore, the respondents are hereby directed to pay net admitted amount of Rs.1,18,93,502/- within a period of six (06) months from the date of receipt of copy of this order. As far as interest is concerned, if both parties have agreed regarding the quantum of amount towards interest, the same should be paid along with admitted amount, if not, petitioner is at liberty to submit a representation or a Memo of Statement requesting for payment of

interest. If petitioner is entitled for the same, after such submission of representation or Memo, the concerned respondent authorities shall consider and pass appropriate orders after providing opportunity of hearing to both parties in case of rejection or reduction of interest amount claimed by the petitioner, within a period of six (06) months thereafter.

8. With these observations and directions, this Writ Petition is disposed of. No order as to costs.

9. Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VENKATESWARLU NIMMAGADDA, J

Dated: 10.11.2026
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Dt: 10.11.2026

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