APHC010503012026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3311]
(Special Original Jurisdiction)

Wednesday, the 28th day of October, 2026

Present

Honourable Ms. Justice B. S. Bhanumathi

Writ Petition No: 27598 of 2026

Between:

G Sukumar **... Petitioner**

and

The State of Andhra Pradesh and others **... Respondents**

Counsel for the petitioner:

1. Modapothula Sumalatha

Counsel for the respondents:

1. G.P. for Panchayat Raj Rural Dev.
2. G.P. for Finance Planning

The Court made the following:

ORDER:

This writ petition is filed to declare the action of the respondents in not releasing the 2.5% of EMD, 7.5% of withheld amount and 12.5% of withheld amount of QC, with a grand total of Rs.1,80,983/-, i.e., Rs.12,500/- (EMD @ 2.5%), Rs.27,327/- (WHA @ 7.5%) and Rs.50,793/- (QC @ 12.5%) vide M. Book No. 1580 / B / 20-21, and Rs.12,500/- (EMD @2.5%), Rs.27,237/- (WHA @ 7.5%) and Rs.50,626/- (QC @ 12.5%) vide M. Book No. 1582 / B / 20-21, even after completion of the defect liability period, which amount is refundable to the petitioner in relation to the following works: **i.** Laying of CC Road from Bonaga Leelamma (H) to Tellagooti Mangamma Land, Bit-1, at Pallemitta Village to Sangavaram G.P. of Balayapalli Mandal, vide agreement No. 382 / 2023-24, dated 15.11.2023; **ii.**Laying of CC Road from Tellagooti Mangamma Land to N.V. Road at Pallemitta Village of Sangavaram G.P. of Balayapalli Mandal, vide agreement No. 501 / 2023-24, dated 06.01.2024, under GGMP Grant, as illegal, arbitrary and in violation of the orders of the Honorable Court in W.P. No. 13429 of 2024, and consequently, direct the respondents to pay the aforesaid amounts to the petitioner.

02. It is the contention of the petitioner that even though the respondents admit that the petitioner is entitled to the aforesaid amount, no payment has been made. The petitioner further contends that such non-payment of money is clearly arbitrary and high-handed, requiring interference of this Court.

03. On the other hand, learned Assistant Government Pleader for Gram Panchayat and Rural Development, while admitting about the claim of the petitioner, placed on record a copy of written instructions received from the respondent No. 5, vide Lr. No. A2 / Court Cases /

2026, dated 01.10.2026, stating that the work is completed, first and part bill had been paid; that the Executive Engineer, P.R. Sub-division, Venkatagiri had submitted second and final bill along with completion report (CR) for approval; and that while uploading the bill for the balance amount of Rs.1,67,061/- in NIDHI portal an error i.e., (bill creation is allowed even in case of insufficient or no budget. However, the bill will be forwarded to the checker only once sufficient budget is available for the bill); and that the deposit amount (EMD) i.e., Rs.25,000/- would be paid after payment of final bill.

04. The learned counsel for the petitioner requested to pass appropriate order for the payment of the amount admitted in the written instructions.

05. In view of the submissions made on both sides, the writ petition is disposed of, directing the respondents to pay an amount of Rs.1,67,061/- (one lakh sixty seven thousand sixty one rupees only) to the petitioner, along with the interest, if any, at the rate entitled, within a period of one (1) month from the date of receipt of a copy of this order.

It is open to the petitioner to agitate the claim for higher rate of interest, if any, payable by the respondents, before an appropriate forum. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE B.S. BHANUMATHI

Date: 28.10.2026

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Honourable Ms. Justice B. S. Bhanumathi

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