Date of reserved for orders : 19.8.2026
Date of pronouncement : 12.10.2026
Date of uploading : 12.10.2026

APHC010607392025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3327]
(Special Original Jurisdiction)

MONDAY, THE 12th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 31734/2025

Between:

1. M/S PLR PROJECTS PRIVATE LIMITED,, REPRESENTED BY ITS AUTHORIZED SIGNATORY, C. CHANDRA SEKHAR REDDY, S/O LATE VENKATA SUBBA REDDY, AGED ABOUT 57 YEARS, OCC- CONTRACTOR, R/O SURVEY NO. 12 (PART). PLOT NO.2-91/12/A/AM/G-L, 5TH FLOOR, ASTRA TOWERS, KOTHAGUDA POST, KONDAPUR, HI TECH CITY, HYDERABAD

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.

2. THE PROJECT DIRECTOR, ANDHRA PRADESH RURAL ROAD PROJECT AND PANCHAYAT RAJ, BANDAR ROAD, ZP COMPOUND, VIJAYAWADA, KRISHNA DISTRICT

3. THE ENGINEERINCHIEF, PR, VIJAYAWADA, KRISHNA DISTRICT

4. THE SUPERINTENDING ENGINEER, PR CIRCLE, CHITTOOR DISTRICT

5. THE EXECUTIVE ENGINEER, PROJECT IMPLEMENTATION

UNIT (P.I.U), CHITTOOR, CHITTOOR DISTRICT

6. THE STATE OF ANDHRA PRADESH, REP., BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF FINANCE AND PLANNING, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.

7. THE DIRECTOR GENERAL V AND E, GENERAL ADMINISTRATION DEPARTMENT, O/AT 2ND FLOOR, PANDIT NEHRU BUS STAND, VIJAYAWADA, NTR DISTRICT (520013).

8. THE REGIONAL VIGILANCE AND ENFORCEMENT OFFICER, TIRUPATI, TIRUPATI DISTRICT (517501). RR 7 AND 8 ARE IMPLEADED AS PER COURTS ORDER DT. 13.08.2026 IN I.A.NO.1 OF 2026

...RESPONDENT(S):

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 topleased to issue a WRIT OF MANDAMUS declaring the action of the Respondents herein, in withholding the payment of CC pt and Part Bill, Gross Amount of Rs. 13,91,34,546/- in Net amount of Rs. 12,56,12,907/- under Nidhi Portal No. 2025-9078609, even after finalizing the bills payable to the petitioner in relation to the Package No. 77/APRRP/PRED/CTR/Road/017, consists of 73 Road works in Chowdepalle, Pulicherla, Punganur, Rompicherla and Chodam Mandals of Chittoor District as per the Agreement No./2023-24, Dt.27.07.2023 is questioned, as the same is illegal, arbitrary and violative of Articles 14, 16, 19 and 300-A of Constitution of India and consequently direct the respondents to consider for payment of CC pt and Part Bill, Gross Amount of Rs.13,91,34,546/- in Net amount of Rs. 12,56,12,907/- under Nidhi Portal No. 2025-9078609, with an interest @24percent per annum for the delayed amount to the petitioner in respect of execution of above-mentioned work forthwith and pass

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased pleased to DIRECT the respondents to

consider for payment of CC pt and Part Bill, Gross Amount of Rs.13,91,34,546/- in Net amount of Rs. 12,56,12,907/- under Nidhi Portal No: 2025-9078609, with an interest of 24% per annum for the delayed amount to the petitioner in respect of execution of works under “Package No. 77/APRRP/PRED/CTR/Road/017, consists of 73 Road works in Chowdepalle, Pulicherla, Punganur, Rompicherla and Chodam Mandals of Chittoor District as per the Agreement No./2023-24, Dt.27.07.2023 pending disposal of the Writ Petition and pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased May be pleased to permit the Petitioner to Implead the Proposed Respondent Nos.7 and 8 as parties Respondents in the above W.P.No. 31734 OF 2025 and pass

Counsel for the Petitioner:

1. SURESH KUMAR REDDY KALAVA

Counsel for the Respondent(S):

1. GP FOR PANCHAYAT RAJ RURAL DEV

2. GP FOR FINANCE PLANNING

THE HON'BLE SRI JUSTICE K.SREENIVASA REDDY

WRIT PETITION No.31734 of 2025

ORDER:

This Writ Petition is filed seeking to declare the action of the respondents in withholding the payment of CC 1st and Part Bill with gross amount of Rs.13,91,34,546/- (Net amount of Rs.12,56,12,907/-) under NIDHI portal No.2025-9078609, even after finalizing the bills payable to the petitioner in relation to the work viz. Package No.77/APRRP/PRED/CTR/ Road/017, consisting of 73 road works in Chowdepalle, Pulicherla, Punganur, Rompicherla and Chodam Mandals of Chittoor district, as per Agreement No. /2023-24, dated 27.07.2023 executed by the petitioner, as illegal and arbitrary, and consequently direct the respondents to pay the said amount along with interest @ 24% per annum for the delayed period, to the petitioner for execution of the aforesaid work.

2. It is stated that administrative sanction was issued under Plain grant for the subject work and 4th respondent accorded technical sanction for the said work. Pursuant to a bid invited by respondent No.2 for the subject work, the petitioner participated in the tender process, and the bid submitted by the petitioner was accepted. Respondent No.2 entered an Agreement No. /2023-24 with the petitioner on 27.07.2023 and handed over the said work to the petitioner.

3. It is stated that the petitioner proceeded with the work awarded to it and executed the same to the utmost satisfaction of the authorities within the time stipulated, and that the same was measured and entered in the Measurement book vide No.6571-B.

4. It is stated that the Quality Control authorities visited the site, inspected the work done by the petitioner and issued Quality Control Certificates, stating that the work executed by the petitioner is satisfactory. Respondents herein, after measuring the same, passed the bill for CC 1st and Part Bill on 07.12.2024, and the same was sent for NIDHI portal vide No.2025-9078609, and that since the date of passing the bill, the petitioner has been requesting the respondent-authorities to release the payment for pending CC 1st and Part bill, but the respondents are not releasing the same.

5. It is the grievance of the petitioner that even though the petitioner approached the respondent authorities on multiple occasions requesting for payment of aforesaid pending bill amount, they are not paying the said amount. According to petitioner, having executed the work satisfactorily, within the prescribed time, non-payment of the bill amount is arbitrary and unjustified. It is further stated that the petitioner, being a contractor, spent huge money for executing the subject work, and the delay in payment is causing severe financial hardship, necessitating the filing of the present Writ Petition seeking appropriate directions for release of the outstanding amount.

6. Today when the matter is taken up for hearing, the learned Assistant Government Pleader for Panchayat Raj and Rural Development, on written instructions dated 18.8.2026, received from the Executive Engineer, PIU Division, Chittoor - 5th respondent herein, submits that petitioner executed the work and the measurements were also recorded in the M-Book. It is further submitted that the total value of the work done by the petitioner is Rs.13,91,34,546/-, and after statutory recoveries amounting to Rs.1,35,21,639/-, the balance amount payable to the petitioner is Rs.12,56,12,907/-. It is further submitted that the bill was submitted to the Assistant Pay and Accounts Officer, Chittoor vide CFMS No.2025-853665 and Migrated to 2026-8410244 for making payment, and the present status of the bill is waiting for fund clearance, and prays time. The written instructions are placed on record.

7. During pendency of the Writ Petition, the Director General (V&E), General Administration Department and the Regional Vigilance and Enforcement Officer, Tirupati, were impleaded as respondents 7 and 8 in the Writ Petition, as per the Order of this Court dated 13.08.2026 in I.A.No.1 of 2026.

8. Heard learned counsel for the petitioner, the learned Government Pleader for the Panchayat Raj and Rural Development and the learned Government Pleader for Finance and Planning.

9. A perusal of the material on record goes to show that there is no dispute with regard to the fact that the respondent-authorities assigned the subject contract work to the petitioner. Grievance of the petitioner is that though it executed the said contract work within the stipulated time to the satisfaction of the respondent authorities and the same was measured and entered in Measurement Book, and that the Quality Control authorities visited the site, inspected the work done by the petitioner and issued Quality Control Certificate, the respondents are not releasing the pending CC 1st and Part bill of gross amount of Rs.13,91,34,546/- (Net amount of Rs.12,56,12,907/-) spent by it, for executing the subject work.

10. The respondent-authorities cannot withhold the legitimate payments due to the contractors who admittedly and genuinely executed the works entrusted to them. Once the works have been duly executed and the amounts have become payable, the respondent-authorities are under an obligation to take a decision on the claims in accordance with law. The State and its instrumentalities cannot withhold legitimate payments. Administrative inaction cannot be allowed to defeat a legitimate claim, particularly when the respondents do not dispute the execution of the works or demonstrate any lawful impediment to the release of the admitted dues.

11. Since the amount payable to the petitioner is admitted and undisputed, Writ Petition is maintainable. In

M/s. Utkal Highways Engineers and Contractors v. Chief General Manager & Ors.[1], it was held as under: (Paragraph No.8)

> "Be that as it may, the High Court has not dealt with the merits of the Writ Petition. Moreover, it is not an inviolable rule that no money claim can be adjudicated upon in exercise of Writ jurisdiction. Non-payment of admitted dues, *inter alia*, may be considered an arbitrary action on the part of respondents and for claiming the same, a Writ Petition may lie. Further, throwing a Writ Petition on ground of availability of alternative remedy after 10 years, particularly, when parties have exchanged their affidavits, is not the correct course unless there are disputed questions of fact which by their very nature cannot be adjudicated upon without recording formal evidence."

12. When an instrumentality of the State acts contrary to the public good and public interest, unfairly, unjustly and unreasonably, in its contractual, constitutional or statutory obligations, it really acts contrary to the constitutional guarantee under Article 14 of the Constitution of India. It is not the case of the respondents that the contract in question was obtained either by fraud or misrepresentation. Therefore, there is no other reason for the respondent authorities in not releasing the amounts in favour of the writ petitioner. Apart from this, when State or State instrumentalities act in an

[1] 2025 SCC OnLine SC 1400.

arbitrary manner or fail to act within time, the Writ Court does have jurisdiction to entertain the matter.

13. Having regard to the aforesaid facts and circumstances of the case, since the respondents admitted the amount payable to the petitioner and requested time for payment of the same, the respondent-authorities are directed to pay the admitted net amount of Rs.12,56,12,907/- to the petitioner within a period of four months from the date of receipt of a copy of this Order.

14. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs of the Writ Petition.

As a sequel thereto, the miscellaneous applications, if any, pending in this Writ Petition, shall stand closed.

JUSTICE K. SREENIVASA REDDY

12.10.2026.
DRK

THE HON'BLE SRI JUSTICE K.SREENIVASA REDDY

WRIT PETITION No.31734 of 2025

12.10.2026

DRK