

THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.1898 OF 2022

ORDER:

The case of the petitioner is that he was entrusted with the work under 14th Finance Planning Commission Grant ADP 2019-20 i.e., improvement of Gowthama Budda road with service road from eagle family restaurant to NRI Hospital-reach-V vide agreement No.146/2020-21 dated 03.09.2020. The petitioner completed the work as per the agreement within the time and measurements were taken. The authorities have to release balance of Rs. 1,11,78,080/- (Rupees one crore eleven lakhs seventy eight thousand eighty only) as per the agreement, but not paid the amount till date.

2. The learned counsel for the petitioner would submit that as per the A.P. Standard Specifications 63 and 69, there is a corresponding obligation to pay the bills within six (06) months without any delay. Having given CFMS details and bills, the same was not paid to the petitioner till date, which is illegal and arbitrary.

3. Sri M. Manohar Redy, learned Standing Counsel for Municipal Corporations for respondents has not disputed the same and payment of bills will be considered in due course as and when funds made available.

4. In view of the facts and circumstances of the case, considering the submissions of both counsel and having perused the material available on record, this Court found that in spite of completion of work as per the terms and conditions of the agreement entered, non-payment of the bill amount is found to be illegal and arbitrary. The authorities are under obligation to settle the undisputed bills as per the A.P. Standard and Specifications and agreements entered.

5. The learned counsel for the petitioner would contend that in the event of non-payment of the bills, the petitioner will be put to severe financial hardships it amounts to violation of Article 21 of the Constitution of India.

6. Considering the submission made by the learned counsel for the petitioner, the writ petition is disposed of, directing the respondents to pay the bills covered by CFMS No.1486824/2021 to the petitioner within a period of six (06) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

7. As a sequel, interlocutory applications, if any, pending shall stand closed.

JUSTICE T.RAJASEKHAR RAO

Date: 28.02.2022
Psr.

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO**(Disposed of)****WRIT PETITION NO.1898 OF 2022**

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