

HON'BLE SRI JUSTICE R. RAGHUNANDAN RAO

WRIT PETITION No.5767 of 2022

ORDER:

The petitioner had been awarded the contract for construction of road from BT to the road from KVK to Vandram of Undi Mandal, West Godavari District, under an Agreement. After execution of the said contract, a final bill for a sum of Rs.13,04,867/- had been prepared on the basis of Measurement Book. 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 payment of the aforesaid sums of money, 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. In view of the aforesaid directions of this Court in various cases and after hearing the submissions of the learned counsel for the petitioner, learned Government pleader for Panchayat Raj and learned counsel appearing for the

respondents, this writ petition is disposed of with a direction to the respondents to release the amount of Rs.13,04,867/- to the petitioner at the earliest, and at any rate, within a period of six weeks from the date of receipt of a copy of this order. It would also be open to the petitioner to agitate his claim for interest, if any payable by the respondents, in an appropriate forum. There shall be no order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

R. RAGHUNANDAN RAO, J.

22.03.2022

RJS

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