

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

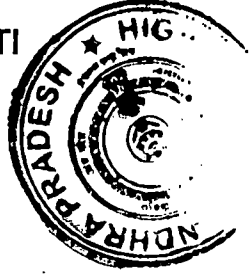
FRIDAY, THE SIXTEENTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 7957 OF 2022



Between:

K Krishnaiah, S/o Raghaiah, Aged about 50 years, Occ: Convenor, J.B.M.V Committee, Kasipuram Grampanchayat, Vakadu Mandal, R/o, Kasipuram, Vakadu Mandal, SPSR Nellore District.

...PETITIONER

AND

1. The State of AP, Represented by its Principal Secretary for Water Resources Department, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Principal Secretary, Finance and Planning Department, Secretariat, Velagapudi, Amaravati, Guntur District.
3. The Director, Works Accounts Andhra Pradesh, 3rd Floor, Anjaneya Towers, Ibrahimpatnam, Krishna District.
4. The Superintending Engineer, Irrigation circle, Nellore, SPSR Nellore District.
5. The Executive Engineer, Water Resources Department, Nellore South Division, Gudur, SPSR Nellore District.
6. The Asst. Pay and Accounts Officer, Works accounts, Nellore, SPSR Nellore District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order, direction, proceedings more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not paying the lumpsum contract running account bill dated 18.3.2018 for Rs. 6,91,944/- for the contract work covered under agreement Nos. 408DN /2017-2018 though the petitioner successfully executed the contract work namely Repairs to surplus weir and strengthening the tank bund of Kasipuram tank at Kasipuram Village in Vakadu Mandal, SPSR Nellore District as illegal, arbitrary and against public policy, contrary to the established procedure of law apart from being violative of Article 14 and 19 (g) of the Constitution of India and consequently, to direct the respondents to forthwith release the lumpsum running part bills dated 15.12.2018 for Rs. 6,91,944/- for the contract work covered under agreement Nos. 408DN /2017-2018 to the petitioner with interest at 12percent p a from the date of passing of lump sum contract running account bill and such other and further reliefs the Hon'ble Court may deem fit in the circumstances of the case.

**IA NO: 2 OF 2022**

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to extend the time limit for implementation of the interim orders dated 31-03-2022 in I .A .No.1/2022 in W .P .No.7957/2022 for payment of amount for further period of four months from now onwards.

**IA NO: 1 OF 2022**

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents herein to forthwith release the lumpsum contract running account bill dated 15.12.2018 for executing the contract work "Repairs to surplus weir and strengthening the tank bund of Kasipuram tank at Kasipuram Village in Vakadu Mandal, SPSR Nellore District" covered under agreement No. 408DN /2017-2018 to the petitioner along with interest @ 12 % p.a. from the date of the passing of the bill.

**Counsel for the Petitioner: SRI. P SRIDHAR REDDY**

**Counsel for the Respondent Nos.1,4 & 5: GP FOR IRRIGATION**

**Counsel for the Respondent Nos.2, 6 & 3 : GP FOR FINANCE**

**The Court made the following ORDER:**

**THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**

**WRIT PETITON No.7957 of 2022**

**ORDER:**


1. Heard learned counsel for the petitioner and learned Government Pleader for the respondents.
2. When the matter is taken up for hearing, learned Government Pleader for Finance and Planning, on oral instructions submitted that respondent authorities paid the total due amount claimed by the petitioner.
3. On the other hand, learned counsel for the petitioner submits that the respondents paid the principal amount, but not paid the interest as claimed by the petitioner and the contempt proceedings initiated in C.C.No.2755 of 2022 were also closed.
4. In view of the submissions made by the learned counsel for the petitioner and learned Government Pleader that the principal amount was already paid as claimed by the petitioner, contempt proceedings were closed and also the contention of the learned Government Pleader that the further claim of interest for delayed

payment can be agitated by way of initiation of separate/fresh legal proceedings is also valid and sustainable.

5. In view of the facts and circumstances and for the reasons stated above, the present Writ Petition is dismissed as infructuous, granting liberty to the petitioner to claim differential amount/withheld amount or interest amount, if any, by way of initiation of fresh/separate legal proceedings in accordance with law.

Consequently, miscellaneous petitions, if any, pending shall stand closed.

**//TRUE COPY//**

SD/- M. PADMALATHA  
ASSISTANT REGISTRAR  
  
SECTION OFFICER

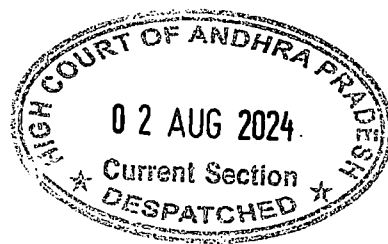
To,

1. One CC to SRI. P SRIDHAR REDDY Advocate [OPUC]
2. Two CCs to GP FOR IRRIGATION, High Court Of Andhra Pradesh.  
[OUT]
3. Two CCs to GP FOR FINANCE, High Court Of Andhra Pradesh. [OUT]
4. Two CD Copies

ER

**HIGH COURT**

**DATED:16/02/2024**



**ORDER**

**WP.No.7957 of 2022**

**DISMISSING THE WP AS  
INFRACTUOUS**