

HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION No.7138 of 2023

ORDER:-

This Writ Petition has been filed by the petitioner invoking jurisdiction of this Court under Article 226 of the Constitution of India for the following relief:

“to issue a Writ, Order or Direction more particularly one in the nature of Writ of MANDAMUS declaring the action of the respondents in not paying the bill amounts pertaining to the works executed by the Petitioner i.e., i) Improvements to Balasadan Building Compound wall and Fencing in Vankagiri Town of SPSR Nellore District for an amount of Rs.1,48,161/-, ii) Improvements to Balasadan Building items in Venkatagiri Town of SPSR Nellore District for an amount of Rs.2,10,460/- and iii) Improvements to Balasadan Building in Toilet Block Venkatagiri Town of SPSR Nellore District for an amount of Rs.51,651/- as illegal, arbitrary, malafidy, high-handed, and contrary to the procedure established by law apart from being violative of Articles 14 and 19 (1) (g) of the Constitution of India consequentially direct the respondents to pay the final bill amount pertaining to the above works executed by the Petitioner along with interest forthwith in the interest of justice and pass”

2. Learned Government Pleader for Finance and learned Standing Counsel for Corporation, collectively

submitted that the petitioner's bills were already uploaded and they are about to release the amount and sought time for payment.

3. It is brought to the notice of this Court that, in similar circumstances, this Court has granted six (6) weeks' time in W.P.No.17411 of 2022, and prayed to consider on the similar lines.

4. In view of the above, with the consent of the learned counsel for both parties and taking into consideration the orders passed in the above Writ Petition, this Writ Petition is disposed of at admission stage, with a direction to the respondents to release the amount of Rs.1,48,161/- (Rupees One Lakh Forty Eight Thousand One Hundred and Sixty One only), Rs.2,10,460/- (Rupees Two Lakhs Ten Thousand Four Hundred and Sixty only) and Rs.51,651/- (Rupees Fifty One Thousand Six Hundred and Fifty One only) to the petitioner at the earliest, and at any rate, within a period of six (06) weeks from the date of receipt of a copy of this order. It would be open to the petitioner to agitate his claim for interest, if any, payable by the respondents, if they are so advised, in an appropriate forum. There shall be no order as to costs.

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

JUSTICE RAVI CHEEMALAPATI

Date: 20.04.2023
MDP/SNI