

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No.10873 of 2022

ORDER:

1. The petitioner seeks writ of mandamus to declare the action of the respondents in withholding and not releasing an amount of Rs.8,83,664/- even after execution of work, as illegal, arbitrary and violative of principles of natural justice and for a consequential direction.
2. The petitioner's case is that, the petitioner has undertaken certain repair works in Krishna District and successfully completed those works. The net amount payable to the petitioner was concluded at Rs.8,83,664/-. On completion of the agreed works, the respondent authorities did not pay the amount till date. Though the works were completed long back and the default liability period of two years was also completed, still, the respondent authorities have not returned the amount. Hence, the writ petition is preferred seeking a direction to the respondents to pay the amount with interest.
3. Heard. No counter is filed by the respondents.
4. As can be seen, the petitioner's case is a pitiable one. The petitioner has successfully completed the agreed works to the

satisfaction of the authorities. However, the bill amount was withheld and not returned, most importantly, without any reason.

5. Though this Court passed an interim order on 21.04.2022 directing the respondents to pay the approved and final bill amount due to the petitioner, within a period of six (06), the same was not paid. It is imperative for public authorities to recognize their responsibility and promptly fulfil contractual obligations by paying the agreed-upon amounts to contractors. Failing to do so not only jeopardizes future contractor engagement but also undermines the quality of work delivered. In the present case, the withholding of the bill amount lacks justification. Therefore, it is only fair for the petitioner to receive the payment owed to them, along with interest.

6. Hence, writ petition is disposed of, directing the respondent authorities to pay bill amount of Rs.8,83,664/- to the petitioner along with the interest @ 6% per annum, in view of the judgment of the Hon'ble Division Bench of this Court in Writ Appeal No.724 of 2021 and batch dated 12.10.2023, within a period of six (06) weeks from the date of receipt of a copy of this order.

7. It would also be open to the petitioner to agitate his claim differential amount/higher rate of interest, if any payable by the respondents, in an appropriate forum

8. Recording the said submission, the Writ Petition is disposed of. There shall be no order as to costs.

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

VENKATESWARLU NIMMAGADDA, J

February 16, 2024
BSK/KSJ

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Dated:16.02.2024

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