

HON'BLE SRI JUSTICE R. RAGHUNANDAN RAO

WRIT PETITION No.12856 of 2022

ORDER:

The petitioner had been awarded various contracts for taking up the "Neeru-Chettu" programme for i) Desilting of kundu from Ch. 1.470 Km to 1.670 Km ii) Desilting of kundu from Ch. 3.150 Km to 3.350 Km near Harivaram Village, Uyyalawada Mandal, iii) Desilting of kundu from Ch. 1.780 Km to 1.980 Km near Kristapadu Village, Dornipadu Mandal, iv) Desilting of kunderu from Ch. 1.680 Km to 1.880 Km near Peddayammanuru Village, v) Desilting of kunderu from Ch. 0.210 Km to 0.410 Km near Peddayammanuru Village, Uyyalawada Mandal, Kurnool District, vide Agreement Nos. 924/2017-18, 925/2017-18, 923/2017-18, 928/2017-18 and 927/2017-18. After execution of the said works, a final bills for Rs.9,21,596/-, Rs.9,23,547/-, Rs.9,09,824/-, Rs.9,18,929/- and Rs.9,21,076/- had been prepared and submitted to the concerned for payment. As the payment of the said amounts has not been made by the respondents, the petitioner had 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. The learned Government Pleader submits that the respondent authorities are verifying the claims of the petitioner and would be in a position to make payments only after such verification is completed.

5. 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 Irrigation, this writ petition is disposed of with a direction to the respondents to complete the verification process within a period of three weeks from the date of receipt of a copy of this order and thereafter to pay the amount due to the petitioner depending upon the outcome of the verification, within a period of six weeks. It would also be open to the petitioner to agitate his/her/their 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.

29.06.2022
BSM/SRK

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