

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

FRIDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 10789 OF 2023



Between:

1. M/s. Sri Shirdi Sai Balaji Constructions, Door No. 13-16-24/2, Kunadapu Street, Near Zilla Parishad, Srikakulam. Rep.by its Managing Partner Barri Bhagyalakshmi, W/o. Apparao.
2. Barri Bhagyalakshmi, W/o. Apparao, Aged 57 years, Occ. Contractor, R/o. D.No. 13-16-24, A.P.H.B. Colony, Kundanapu Street, Srikakulam, Srikakulam District.

...PETITIONERS

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Water Resources (Irrigation and CAD) Department, Secretariat Buildings, Velagapudi, Thullur Mandal, Amaravathi, Guntur District.
2. State of Andhra Pradesh, Rep. by its Principal Secretary, Finance Department, Secretariat, Velagapudi, Amaravathi, Thullur Mandal, Guntur District.
3. The Director of Works and Account Officer, Anjaneya Towers, Ibrahimpatnam, Krishna District.
4. The Engineer-in-Chief, Irrigation Department, Vijayawada, AP.
5. The District Collector, Srikakulam District, Srikakulam.
6. Superintending Engineer, Irrigation Circle, Srikakulam, Srikakulam District.
7. Executive Engineer, Water Resources Department, Srikakulam Division, Srikakulam District.
8. Srikakulam Municipality, Srikakulam, Rep. by its Commissioner.
9. The Pay and Accounts Officer, Works and Projects, Srikakulam, Srikakulam District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order, or Direction more particularly one in the nature of WRIT OF MANDAMUS or any other appropriate writ or direction declaring the action of the respondents in not releasing the payments for the works i.e., Temporary Restoration and protection works to left Bank of Nagavali River Near Day and Night Bridge in Srikakulam Town in Srikakulam District through the Agreement No. 02/2022-23 dated 05-07-2022 for an amount of Rs. 62,00,000/- as illegal, arbitrary and violative of Art 14 and 21 of Constitution of India and

consequently direct the respondent authorities to release Rs. 62,00,000/- for the pending bills forthwith for the above said works executed by the petitioner.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct respondents to consider for payment of amount of Rs. 62,00,000/- for the pending bills for the works executed by the petitioners i.e., Temporary Restoration and protection works to left Bank of Nagavali River Near Day and Night Bridge in Srikakulam Town in Srikakulam District through the Agreement No. 02/2022-23 dated 05-07-2022 for an amount of Rs. 62,00,000/-forthwith, pending disposal of the main Writ Petition.

Counsel for the Petitioner: SRI RAMBABU KOPPINEEDI

Counsel for the Respondent Nos.1,4 to 7: GP FOR IRRIGATION AND CAD

Counsel for the Respondent Nos.2,3 & 9: GP FOR FINANCE AND PLANNING

**Counsel for the Respondent No.8: SRI M. MANOHAR REDDY, SC FOR
MUNICIPALITIES**

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO.10789 OF 2023

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for the respondents.

When the matter is taken up for hearing, learned Government Pleader for the respondents has placed on record the written instructions issued by the Executive Engineer, Srikakulam, wherein it is stated that the net amount of Rs.59,41,847/- was paid to the petitioners and the claim of the petitioners have been redressed by the respondents. Hence, the cause in the present Writ Petition does not survive for further adjudication and the Writ Petition becomes infructuous.

Recording the said submission, Writ Petition is closed as infructuous. However, the petitioners are at liberty to file separate Writ Petition, if they have any grievance. There shall be no order as to costs.

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

//TRUE COPY//

Sd/-B. PRASADA RAO
ASSISTANT REGISTRAR
ch
SECTION OFFICER

To,

1. One CC to Sri Rambabu Koppineedi, Advocate [OPUC]
2. One CC to Sri M. Manohar Reddy, SC for Municipalities[OPUC]
3. Two CC's to GP for Irrigation and CAD, High Court of A.P. at Amaravati[OUT]
4. Two CC's to GP for Finance and Planning, High Court of A.P. at Amaravati[OUT]
5. Three CD Copies.

ssb

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A.D. Fau

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HIGH COURT

DATED:01/12/2023

ORDER

WP.No.10789 of 2023



9 copies
APP
7/3/24

**CLOSING THE W.P. AS INFRUCTUOUS
WITHOUT COSTS**