

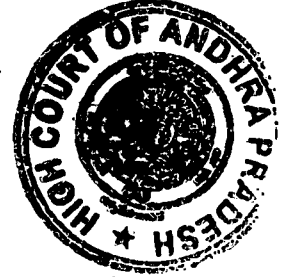
**IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)**

**THURSDAY, THE TENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 17845 OF 2023



Between:

N. Nagabhushanam, S/o. Bala Kotaiah, Aged about 42 years, R/o. Sajjavaripalem Village, Nagaram Mandal, Guntur District.

...PETITIONER

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary to Government, Panchayat Raj and Rural Development Department, A.P Secretariat Buildings, Velagapudi, Guntur District.
2. The State of Andhra Pradesh, Represented by its Principal Secretary, Department of Finance and Planning, A.P Secretariat buildings, Velagapudi, Guntur District.
3. The Commissioner, Panchayat Raj and Rural Development Department, Government of Andhra Pradesh, NH-16, Tadepalli, Guntur District.
4. The District Collector, Panchayat Wing, Guntur, Guntur District.
5. The Executive Engineer, PRI Division, Guntur, Guntur District.
6. The Mandal Parishad Development Officer, Tadikonda Mandal, Guntur District.
7. The Nidumukkala Gram Panchayat, Rep.by its Executive Authority Cum Panchayat Secretary, Nidumukkala Village, Tadikonda Mandal, Guntur District.
8. Union of India, Rep.by its Secretary to Govt of India, Ministry of Rural Development Department, New Delhi.
9. The District Minority Welfare Officer, Guntur.
10. The Director of Minorities Welfare Department, Tadepalli, Guntur District.
11. The Managing Director, Andhra Pradesh State Christian Minorities Finance Corporation, Tadepalli, Guntur 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 or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not paying the admitted due amount of Rs 4,73,782/- (Rupees Four Lakhs Seventy Three Thousand and Seven Hundred and Eighty Two Only) payable to petitioner in relation to part work executed for 5th Respondent by the petitioner herein under Agreements Bearing No. /2018-19, Dt. 08-02-2019 even after finalizing the hills, as illegal, arbitrary,

unconstitutional and consequently direct the respondents herein immediately to pay the part bill due amount of Rs.4,73,782/- (Rupees Four Lakhs Seventy Three Thousand and Seven Hundred and Eighty Two Only) payable to the petitioner in relation to part work executed for 5th Respondent under Agreements Bearing No. /2018-19, Dt. 08-02-2019.

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 the respondents herein to release the part work due amount of Rs 4,73,782/-(Rupees Four Lakhs Seventy Three Thousand and Seven Hundred and Eighty Two Only) payable to the petitioner in relation to part work executed for 5th Respondent under Agreements Bearing No. /2018-19, dt. 08-02-2019 within a stipulated time frame.

Counsel for the Petitioner : SRI VENKATA DURGA RAO ANANTHA
Counsel for the Respondent Nos.1, 3, 4 & 5 : GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT

Counsel for the Respondent No.2 : GP FOR FINANCE AND PLANNING

Counsel for the Respondent Nos.6 & 7 : SRI G. VENKATA REDDY,
SC FOR GRAM PANCHAYAT

Counsel for the Respondent No.8 : SRI N. HARINATH, DEPUTY SOLICITOR
GENERAL OF INDIA

Counsel for the Respondent Nos.9 & 10 : GP FOR SOCIAL WELFARE

Counsel for the Respondent No.11 : NONE APPEARED

The Court at the stage of admission made the following: ORDER

THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO.17845 OF 2023

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

"...to issue a writ or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not paying the admitted due amount of Rs.4,73,782/- (Rupees Four Lakhs Seventy Three Thousand and Seven Hundred and Eighty Two Only) payable to petitioner in relation to part work executed for 5th Respondent by the petitioner herein under Agreements Bearing No. /2018-19 Dt.08.02.2019 even after finalizing the hills as illegal, arbitrary, unconstitutional and consequently direct the respondents herein immediately to pay the part bill due amount of Rs.4,73,782/- (Rupees Four Lakhs Seventy Three Thousand and Seven Hundred and Eighty Two Only) payable to the petitioner in relation to part work executed for 5th Respondent under Agreements Bearing No. /2018-19 Dt.08.02.2019 and pass....."

2. Heard Sri A.Venkata Durga Rao, learned counsel for the petitioner, learned Assistant Government Pleader for Panchayat Raj & Rural Development appearing for respondent Nos.1, 3, 4 and 5, learned Assistant Government Pleader for Finance &

Planning appearing for respondent No.2, Sri G.Venkat Reddy, learned Standing Counsel for ZPP, MPP & Gram Panchayat appearing for respondent Nos.6 & 7 and learned Assistant Government Pleader for Social Welfare appearing for respondent Nos.9 and 10.

3. Learned Assistant Government Pleader for Panchayat Raj & Rural Development, learned Assistant Government Pleader for Finance & Planning, Sri G.Venkat Reddy, learned Standing Counsel for ZPP, MPP & Gram Panchayat and learned Assistant Government Pleader for Social Welfare, on written instructions dated 09.08.2023, which is placed on record, collectively submitted that the bill amount of the petitioner has been admitted by the authorities and the same will be paid to the petitioner in due course and sought time for payment. They also submitted that this Court, *vide* order dated 28.06.2022 in Writ Petition No.17411 of 2022, granted six (06) weeks time for payment of the bill amount and prayed to consider this Writ Petition in similar lines.

4. To the said submission, learned counsel for the petitioner reported no objection.

5. In view of the above, with the consent of learned counsel for both the parties, this Writ Petition is disposed of, at

admission stage, in terms of the orders passed in W.P. No.17411 of 2022 dated 28.06.2022.

6. Accordingly, the respondents are directed to release the admitted/legally entitled amount 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. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in the writ petition shall stand closed.

**Sd/- S.SRINIVASA PRASAD
ASSISTANT REGISTRAR**

//TRUE COPY//

for **SECTION OFFICER**

To,

1. The Principal Secretary to Government, Panchayat Raj and Rural Development Department, State of Andhra Pradesh, A.P Secretariat Buildings, Velagapudi, Guntur District.
2. The Principal Secretary, Department of Finance and Planning, State of Andhra Pradesh, A.P Secretariat buildings, Velagapudi, Guntur District.
3. The Commissioner, Panchayat Raj and Rural Development Department, Government of Andhra Pradesh, NH-16, Tadepalli, Guntur District.
4. The District Collector, Panchayat Wing, Guntur, Guntur District.
5. The Executive Engineer, PRI Division, Guntur, Guntur District.
6. The Mandal Parishad Development Officer, Tadikonda Mandal, Guntur District.
7. The Executive Authority Cum Panchayat Secretary, Nidumukkala Gram Panchayat, Nidumukkala Village, Tadikonda Mandal, Guntur District.
8. The Secretary to Govt of India, Ministry of Rural Development Department, Union of India, New Delhi.
9. The District Minority Welfare Officer, Guntur.
10. The Director of Minorities Welfare Department, Tadepalli, Guntur District.
11. The Managing Director, Andhra Pradesh State Christian Minorities Finance Corporation, Tadepalli, Guntur District.
12. One CC to Sri Venkata Durga Rao Anantha, Advocate [OPUC]
13. Two CCs to GP for Panchayat Raj Rural Development, High Court of Andhra Pradesh. [OUT]
14. Two CCs to GP for Finance & Planning, High Court of Andhra Pradesh. [OUT]
15. Two CCs to GP for Social Welfare, High Court of Andhra Pradesh. [OUT]
16. One CC to Sri G. Venkata Reddy, SC for Gram Panchayat (OPUC)
17. One CC to Sri N. Harinath, Deputy Solicitor General of India (OPUC)
18. Two C.D. Copies

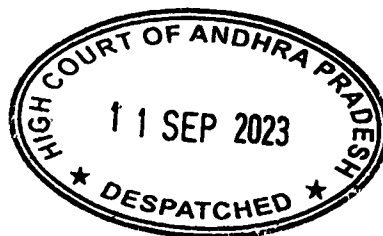
Cnr *mmb*

HIGH COURT

DATED:10/08/2023

ORDER

WP.No.17845 of 2023



(22)
M.M.Bor
11/9/23

**DISPOSING OF THE W.P.
WITHOUT COSTS**