

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

TUESDAY, THE TWENTY NINTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 30003 OF 2022



Between:

G. Narasinga Rao, S/o. G. Kotaiah aged 41 years, Occ. Contractor R/o. Kondamudusupalem, Kandukur Mandal SPSR Nellore District (Old Prakasam District)

...PETITIONER

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration Department, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Andhra Pradesh Center for Financial Systems and Services, 6th floor, C-block, Anjaneya Towers, Ibrahimpatnam, NTR District (Old Krishna District), rep. by its Chairman cum Principal Secretary, Finance Department
3. The Commissioner and Director of Municipal Administration, Gorantla, Guntur District.
4. The Commissioner, Kandukur Municipality, SPSR Nellore District (Old Prakasam District)
5. The Deputy Executive Engineer, Kandukur Municipality, SPSR Nellore District (Old Prakasam District)
6. The Director of Works and Accounts, Vijayawada, NTR District (Old Krishna District)
7. The Pay and Accounts Officer, Ongole, Prakasam District

...RESPONDENTS

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in not releasing the Final Bill amount of Rs 14,54,000/- even after execution of work i.e. Kandukur Municipality- BPS and LRS funds- Junction Development at Pamur turning in Kandukur Municipality vide agreement No. 49/2018-19 dated 27-02-2019 as the same is illegal, arbitrary and unjust and consequently direct the

respondents to release an amount of Rs 14,54,000/- with interest 12% per annum to the petitioner in respect of execution of afore mentioned work forthwith.

IA NO: 1 OF 2022

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to release an amount of Rs 14,54,000/- in favour of the petitioner in respect of the work done i.e. Kandukur Municipality- BPS & LRS funds- Junction Development at Pamur turning in Kandukur Municipality vide agreement No. 49/2018-19 dated 27-02-2019, pending disposal of the main Writ Petition.

Counsel for the Petitioner(s): SMT. KAVITHA GOTTIPATI

Counsel for the Respondents 1 & 3 : GP FOR MUNICIPAL ADMN URBAN DEV

Counsel for the Respondents 2, 6 & 7 : GP FOR FINANCE & PLANNING

Counsel for the Respondents 4 & 5 : SRI N RANGA REDDY, SC FOR MUNICIPALITY

The Court made the following: ORDER

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IN THE HIGH COURT OF ANDHRA PRADESH:: AMARAVATI

THE HON'BLE SRI JUSTICE B KRISHNA MOHAN

**TUESDAY, THE 29TH DAY OF AUGUST, TWO THOUSAND
AND TWENTY THREE**

WRIT PETITION No. 30003 of 2022

Between:

G. Narasinga Rao, S/o. G.Kotaiah,
Aged 41 years, Occ: Contractor, R/o.
Kondamudusupalem, Kandukur
Mandal, SPSR Nellore District (old
Prakasam District).

....Petitioner

And

The State of Andhra Pradesh, rep. by
its Principal Secretary, Municipal
Administration Department,
Secretariat, Velagapudi, Amaravati,
Guntur District and 6 others.

....Respondents

ORDER:

Heard the learned counsel for the petitioner and the
learned Standing Counsel for the respondent Nos. 4 and 5.

2. This writ petition is filed questioning the action of the
respondent Nos. 4, 5 and 7 in not paying final bill amount of
Rs. 14,54,000/- even after execution of the work belonging to
Kandukur Municipality-BPS & LRS funds-Junction
Development at Pamur turning in Kandukur Municipality
vide agreement No. 49/2018-19 dated 27.02.2019.

3. The learned Standing counsel appearing for the respondent Nos. 4 and 5 upon the written instructions of the 4th respondent dated 11.08.2023 submits that the 1st, 2nd and final bills of the above said work was uploaded in CFMS portal to the petitioner on 21.09.2022 and 14.11.2022 vide CFMS No. 2022-1375817 (escalated 2023-236572) and 2022-1783048. The said bill payments are successfully completed on 10.05.2023 and 20.03.2023 respectively.

4. In view of the same, no further orders are necessary in this writ petition. If any due amount is there, it is open for the petitioner to take fresh steps in accordance with law.

5. Accordingly, the Writ Petition is disposed off. No costs.

As a sequel, Miscellaneous Petitions pending, if any, shall stand closed.

SD/- B. CHITTI JOSEPH
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Chairman cum Principal Secretary, Finance Department, Andhra Pradesh Center for Financial Systems and Services, 6th floor, C- block, Anjaneya Towers, Ibrahimpatnam, NTR District (Old Krishna District).
3. The Commissioner and Director of Municipal Administration, Gorantla, Guntur District.
4. The Commissioner, Kandukur Municipality, SPSR Nellore District (Old Prakasam District)
5. The Deputy Executive Engineer, Kandukur Municipality, SPSR Nellore District (Old Prakasam District)
6. The Director of Works and Accounts, Vijayawada, NTR District (Old Krishna District)
7. The Pay and Accounts Officer, Ongole, Prakasam District
8. One CC to SRI. KAVITHA GOTTIPATI Advocate [OPUC]
9. Two CCs to GP FOR MUNICIPAL ADMN URBAN DEV, High Court of Andhra Pradesh. [OUT]
10. Two CCs to GP FOR FINANCE & PLANNING, High Court of Andhra Pradesh. [OUT]
11. One CC to SRI N RANGA REDDY, SC FOR MUNICIPALITY [OPUC]
12. Three CD Copies

Madhu

Bhargava

HIGH COURT

DATED:29/08/2023

ORDER

WP.No.30003 of 2022



16-copies
PBK
25/10/2023

DISPOSING OF THE WP WITHOUT COSTS