

THE HON'BLE SRI JUSTICE RAVI NATH TILHARI

WRIT PETITION No. 33199 of 2022

JUDGMENT:

By means of this writ petition filed under Article 226 of the Constitution of India, the petitioner prays for direction to the respondents to make the payment of the bill amount for the works undertaken by the petitioner, under the agreement with the respondents.

2. Sri V. Ashok Ram, learned GP for Finance, representing the respondent No.5 submits on the basis of instructions that the bills have already been uploaded in CFMS portal and the necessary funds for payment of the amount under the bills for the work executed under the agreement have also been released.

3. Sri Ch. P. Abhishek, learned counsel representing respondents No.2 to 4 submits that the bills have been uploaded.

4. Learned counsel for the petitioner submits that the petitioner has also claimed interest on delayed payment but with respect to that prayer, liberty may be granted to the petitioner to approach in appropriate proceedings.

5. Considering the submissions advanced by the learned counsels for the parties/and after recording the stand of the respondents as submitted, the writ petition is being disposed of finally with the consent of the learned counsels for both the parties with the following directions:-

- a) The respondent No.2 though has uploaded the bills in CFMS portal, but if fresh uploading is required, the same shall be done within two (02) weeks from today;.
- b) The 5th respondent – Principal Secretary, Finance Department, shall within a period of eight (8) weeks shall release the amount payable, to the petitioner, on due verification and scrutiny as per the procedure, if there is no other legal impediments in making payment.
- c) The entire exercise shall be completed positively in eight (8) weeks from today.

6. So far as the petitioner's prayer for interest is concerned, as requested by the learned counsel for the petitioner, the petitioner is granted liberty to approach the appropriate forum, if so advised, clarifying that the grant of time to the respondents as aforesaid, would not adversely affect the petitioner's claim for interest for the period of entitlement, if any, under law.

7. The writ petition is disposed of finally with the aforesaid directions and observations. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in consequence.

RAVI NATH TILHARI, J

Date: 09.12.2022
Dsr