



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

[3460]

**MONDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY
WRIT PETITION NO: 1256/2026**

Between:

1. SRI KRISHNARJUNA CONSTRUCTIONS, REP, BY ITS
MANAGING PARTNER, ACHOLU MUKUNDA REDDY, S/O
ACHOLU PUL LA REDDY, AGED ABOUT 57 YEARS, OCC
CONTRACTOR, OFF. ROOM NO. 6, T.B. COMPLEX, NEAR
MUNICIPAL COMPLEX OFFICE, KADAPA CITY, Y.S.R. KADAPA
DISTRICT, A.P. PIN. 516001.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, DEPARTMENT OF FINANCE AND PLANNING,
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI,
GUNTUR DISTRICT, A.P. PIN. 522238.
2. THE STATE OF ANDHRA PRADESH, REP., BY ITS PRINCIPAL
SECRETARY, DEPARTMENT OF SCHOOL EDUCATION,
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI,
GUNTUR DISTRICT, A.P. PIN. 522238.
3. THE STATE OF ANDHRA PRADESH, REP., BY ITS PRINCIPAL
SECRETARY, DEPARTMENT OF SOCIAL WELFARE,
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI,
GUNTUR DISTRICT, A.P. PIN. 522238.
4. THE NATIONAL BANK FOR AGRICULTURE AND RURAL
DEVELOPMENT, REP. BY ITS. THE CHAIRMAN, OFF PLOT NO.
C, 2ND FLOOR, 'D' WING C-24, 'G' BLOCK, 24, BANDRA
KURLA COMPLEX RD, G BLOCK BKC, BANDRA EAST,
MUMBAI, STATE OF MAHARASHTRA. PIN. 400051.

5. THE NATIONAL BANK FOR AGRICULTURE AND RURAL DEVELOPMENT, REP. BY ITS. THE CHIEF GENERAL MANAGER, OFF STALIN CENTRAL, 5TH FLOOR, D.NO. 27-37-158, M.G.ROAD, GOVERNOR PET, VIJAYAWADA, A.P. PIN. 520002.
6. THE ANDHRA PRADESH SOCIAL WELFARE RESIDENTIAL EDUCATIONAL INSTITUTES SOCIETY, REP. BY ITS.. THE SECRETARY, OFFICE OF APSWREIS, D.NO. 12-467-9, MOKSHA SAI PLAZA TADEPALLI, GUNTUR DISTRICT, A.P. PIN. 522501.
7. THE MANAGING DIRECTOR, A.P.E.W.I.D.C, VADDESWAREM, TADEPALLI, GUNTUR DISTRICT, A.P. PIN. 522302.
8. THE CHIEF ENGINEER, A.P.E.W.I.D.C, VADDESWAREM, TADEPALLI, GUNTUR DISTRICT, A.P. PIN. 522302.
9. THE SUPERINTENDING ENGINEER, A.P.E.W.I.D.C., KADAPA DISTRICT, A.P. PIN. 516001.
10. THE EXECUTIVE ENGINEER, A.P.E.W.I.D.C., GUNTUR DISTRICT, A.P. PIN. 522501.
11. THE EXECUTIVE ENGINEER, A.P.E.W.I.D.C., KADAPA DISTRICT, A.P. PIN. 516001.

...RESPONDENT(S):

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 an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents no. 1 to 11 in withholding the payment of amount Rs. 4,99,54,548/- even after finalising the bills, payable to the petitioner in relation to the work i.e., Residential School Complex at B. Matam (V and M) vide Agreement No. /CE/APEWIDC/VIJ/2017-18, dt.27.09.2018, for amount of Rs. 4,99,54,548/- is waiting for fund clearance with respondents no. 1 to 11 as illegal, arbitrary and violative of Article 14, 19 and 21 of the Constitution of India and consequently direct the respondent Nos.1 to 11 to forthwith consider for payment of the cumulative total

amount of Rs.4,99,54,548/- with interest 24percent per annum for the delayed amount to the petitioner in respect of execution of above-mentioned works forthwith in terms of Agreement for Construction of Permanent Residential School Complex at B. Matam (V and M) in Kadapa District, and pass such other orders.

IA NO: 1 OF 2026

Petition under Section 151 CPC 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 no. 1 to 11 to forthwith consider for payment of the cumulative total amount of Rs. 4,99,54.548/- with interest @24% per annum for the delayed amount to the petitioner in respect of execution of above-mentioned works forthwith in terms of Agreement for "Construction of Permanent Residential School Complex at B. Matam (V&M) in Kadapa District", vide Agreement No. /CE/APEWIDC/VIJ/2017-18, dt.27.09.2018 and pass such other orders.

Counsel for the Petitioner:

1. SHAIK AFZAL MOHAMMED

Counsel for the Respondent(S):

1. VINOD KUMAR TARLADA SC For APREIS,BCW,SCW,TBW
EIS,RAYALASEEMA,PRK,NLR,
2. V CH NAIDU
3. GP FOR SCHOOL EDUCATION
4. GP FOR FINANCE PLANNING

The Court made the following:

HON'BLE SRI JUSTICE NYAPATHY VIJAY**WRIT PETITION No.1256 of 2026****ORDER:**

1. The present Writ Petition is filed questioning the action of Respondent-authorities in not releasing the amount of Rs.4,99,54,548/- due to the Petitioner even after finalizing the bills towards ***Construction of Permanent Residential School at B. Matam Village & Mandal in Kadapa District*** vide Agreement No. /CE/APEWIDC/VII/2017-18, dated 27.09.2018 and to declare the same as illegal and arbitrary.

2. The facts in brief are as follows;

The Petitioner was awarded contract for construction of permanent residential school at B. Matam Village and Mandal in Kadapa District vide Agreement No. /CE/APEWIDC/VII/2017-18, dated 27.09.2018 pursuant to the tender process. It is stated that the Petitioner had completed the construction as per the terms and conditions of the tender on 26.09.2019 after taking extension of time from the authorities concerned. After completion of the construction the building was inspected by the Executive Engineer, Quality Control Division for other Civil Works. The Assistant Engineer and Deputy Executive Engineer, Quality Control Sub-Division,

APEWIDC, Kadapa Circle and the Executive Engineer, Quality Control Division, APEWIDC, Guntur submitted a report on 04.03.2024. Thereafter the premises was taken over by the Respondent-authorities through their Principal, Dr. B. R. Ambedkar, Gurukulam at B. Mattam in YSR Kadapa District. However, the remaining outstanding amount due to the Petitioner was not paid to the Petitioner. Hence, the Writ Petition is filed.

3. In the Counter-Affidavit filed by the Respondents it is stated that Respondent No.7 had addressed a letter to the Government for releasing the funds on 11.04.2025, 27.05.2025 and 12.11.2025 for clearing the payment of bills to the Petitioner. It is further stated in the Counter-Affidavit that the issue is under consideration by the Finance Department for release of amounts to the Petitioner. Paragraph Nos.12 and 13 thereof are extracted below;

“12. It is respectfully submitted that, based on the proposal of the Respondent No.7 (Executive Agency), vide Lr.No. MD/ APEWIDC/ APSWRSC-B.Mattam/ Kadapa/ 2024-25, dt:11.04.2025, the Respondent No.6, has addressed letters to the Government (Respondent No.2) requested for releasing funds from any of the Heads i.e., under the SC Sub Plan or any other appropriate Head of Accounts, vide Rc.No.APSWRE/ 1981463/2025, dt:27.05.2025 and 12.11.2025 for clearing the payment of bills to the petitioner.

13. Further, it is submitted that at present the matter is at Government in Finance Department under consideration for release of funds to clear the pending bills of the petitioner. It is respectfully submitted that as and when the budget released by the Government the payment of bills of the Petitioner will be cleared by the Executive Agency.”

4. In the light of the above, as there is no dispute with regard to the execution of work and the amounts due to the Petitioner, the Writ Petition is disposed of, with the following directions;

(i) The Respondents shall examine the claim of the Petitioner and disburse the outstanding amount due to the Petitioner, as expeditiously as possible, preferably within a period of six (6) months from the date of receipt of a copy of this order;

(ii) No order as to costs.

5. As a sequel, pending applications, if any, shall stand closed.

NYAPATHY VIJAY, J

Date: 06.04.2026

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HON'BLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No.1256 of 2026

Date: 06.04.2026

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