



**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**FRIDAY, THE FIRST DAY OF AUGUST,
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 16355 OF 2025

Between:

M/s NJR Constructions Pvt Ltd, Rep by its Managing Director, Sri. N.
Janardhana Rao S/o Sri. N. Narayana Rao Aged about 64 years, R/o. Plot
No. 106, Mothinagar, Hyderabad, Telangana State

...Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Roads and Buildings Department, Secretariat Buildings, Velagapudi Village Thullur Mandal, Guntur District.
2. The State of Andhra Pradesh, Rep by its Principal Secretary, Higher Education Department, Secretariat Buildings, Velagapudi Village Thullur Mandal, Guntur District.
3. The Chief Engineer, Roads and Buildings Department, R and B Buildings and RSW, Vijayawada, N.T.R District
4. The Superintending Engineer, R and B Circle, Kurnool, Kurnool District.
5. The Executive Engineer, R and B Division, Kurnool, Kurnool District.
6. The Deputy Executive Engineer, R and B Buildings, Sub-Division at Kurnool Kurnool District.
7. The State of Andhra Pradesh, Rep by its Principal Secretary, Finance and Planning Department, Secretariat Buildings, Velagapudi Thullur Mandal Guntur District.

8. The IIT, Rep by its Director, Jagannadha Gattu, Dinnevarapadu Village, Kurnool Mandal, Kurnool 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 any writ, order or direction more particularly one in the nature of writ of Mandamus declaring the proceedings of the 5th respondent Lr.No.731/IIT the Build/KNL/EE/Supdt/R & B/KNL/2024-25 dated 01.04.2025, determining the contract under clause-60(a) of PS to APSS by forfeiting the security deposits and the value of the work executed are not paid as illegal and contrary to law and Consequently to set aside the Lr.No.731/IIT 5th respondent proceedings of the Build/KNL/EE/Supdt/R & B/KNL/2024-25 dated 01.04.2025, by directing the respondents to release the payments for the work done along with the EMD, security deposits, GST and other amounts payable with the interest at the rate of 18% from the date which the payments are required to pay;

IA NO: 1 OF 2025:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the proceedings of the 5th respondent Lr.No.731/IIT Build/KNL/EE/Supdt/R&B/ KNL/2024-25 dated 01.04.2025, pending disposal of WP.No.16355 of 2025, on the file of the High Court.

IA NO: 2 OF 2025

Petition under Section 151 CPC is filed 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 to release the due amount issue in respect of the works executed and not paid, pending disposal of WP.No.16355 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri N.Subba Rao, learned Senior Counsel, assisted by Sri Madhava Rao Nalluri, Advocate for the Petitioner and Sri Sk.Abdul Rasheed, learned Assistant Government Pleader for Roads Buildings for the Respondent Nos.1, 3 to 6 and GP for Higher Education for the Respondent Nos.2 & 8 and GP for Finance for the Respondent No.7, the Court made the following;

ORDER:

“Heard Sri N. Subba Rao, learned Senior Counsel, assisted by Sri Madhava Rao Nalluri, learned Counsel for the Writ Petitioner and Sri Sk. Abdul Rasheed, learned Assistant Government Pleader for Roads & Buildings.

2. Sri N. Subba Rao, learned Senior Counsel has drawn the attention of this Court to the Letter addressed by the Writ Petitioner dated 23.01.2025. Through the said Letter, the Writ Petitioner has responded by stating that the Writ Petitioner is yet to receive the huge payment from the Official Respondents for a sum of Rs.35.41 Crores from the Government of Andhra Pradesh and that after the receipt of the payment, the Writ Petitioner may be in a position to resume the work.

3. It is submitted that, despite such request made by the Writ Petitioner, the Official Respondents have issued the impugned proceedings dated 01.04.2025 (Ex.P.1), by which the contract of the Writ Petitioner has been terminated.

4. Despite time granted by the Court on 04.07.2025, the Official Respondents have not evinced any interest in filing the Counter Affidavit. As a matter of last opportunity, let Counter Affidavit be filed within two weeks.

5. There shall be a direction suspending the impugned proceedings dated 01.04.2025 (Ex.P.1) till the next listing. There shall be a further direction to the Official Respondents not to encash the Bank Guarantee and EMD, if any, till the next listing. ✓

6. List the matter on 22.08.2025." ✓

//TRUE COPY//

Fol

SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Roads and Buildings Department, Secretariat Buildings, Velagapudi Village Thullur Mandal, Guntur District.
2. The Principal Secretary, State of Andhra Pradesh, Higher Education Department, Secretariat Buildings, Velagapudi Village Thullur Mandal, Guntur District. (Addressee Nos.1 & 2 by **Special Messenger**)
3. The Chief Engineer, Roads and Buildings Department, R and B Buildings and RSW, Vijayawada, N.T.R District
4. The Superintending Engineer, R and B Circle, Kurnool, Kurnool District.
5. The Executive Engineer, R and B Division, Kurnool, Kurnool District.
6. The Deputy Executive Engineer, R and B Buildings, Sub-Division at Kurnool Kurnool District.
7. The Principal Secretary, State of Andhra Pradesh, Finance and Planning Department, Secretariat Buildings, Velagapudi Thullur Mandal Guntur District.
8. The Director, IIIT, Jagannadha Gattu, Dinnedavarapadu Village, Kurnool Mandal, Kurnool District. (Addressee Nos.3 to 8 by **RPAD**)

9. One CC to Sri. Madhava Rao Nalluri, Advocate [OPUC]
10. Two CCs to GP for Roads Buildings, High Court of Andhra Pradesh. [OUT]
11. One spare copy

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HIGH COURT

GRKP,J

DATED:01/08/2025

LIST THE MATTER ON 22.08.2025

ORDER

WP.No.16355 of 2025

DIRECTION

