



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

[3330]

**TUESDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 31142/2023

Between:

1. MODERN CONSTRUCTIONS, REP. BY ITS MANAGING PARTNER,
P. SESHAGIRI RAO, S/O. SUBBARAO, AGED ABOUT 48 YEARS,
OCC CONTRACTOR, O/O.D.NO.40-1/1-17, 2ND FLOOR, OPP PVP
MALL MAIN GATE, BESIDE MINERVA HOTEL, ADARSHNAGAR,
VIJAYAWADA, KRISHNA DISTRICT.

...PETITIONER

AND

1. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, ROADS
AND BUILDINGS DEPARTMENT, SECRETARIAT BUILDINGS,
VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
2. THE CHIEF ENGINEER, R AND B, NH AND CRF, VIJAYAWADA,
KRISHNA DISTRICT.
3. THE SUPERINTENDING ENGINEER, (R AND B) SRIKAKULAM,
SRIKAKULAM DISTRICT.
4. THE EXECUTIVE ENGINEER, R AND B) DIVISION, TEKKALI,
SRIKAKULAM DISTRICT.
5. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, DEPARTMENT OF FINANCE AND PLANNING,
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR
DISTRICT

...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 a writ of mandamus or any other appropriate writ or direction declaring the action of the Respondents in withholding the net payment of Rs.3,50,09,939/- even after finalizing the bills, payable to the petitioner in relation to the work i.e widening and Strengthening of Vaddinavalasa-Komanapalli road from Km 0/0 to 10/750 in Srikakulam District vide agreement dt. 18.09.2021, as the same is illegal, arbitrary and consequently direct the respondents to consider for payment an amount Rs.3,50,09,939/- with interest @24PERCENT per annum for the delayed amount to the petitioner in respect of execution of above-mentioned work forthwith and pass

IA NO: 1 OF 2023

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 to consider for payment net amount of Rs.3,50,09,939/- even after finalizing the bills, payable to the petitioner in relation to the work i.e., widening and Strengthening of Vaddinavalasa-Komanapalli road from Km 0/0 to 10/750 in Srikakulam District' vide agreement dt.18.09.2021, pending disposal of the Writ Petition and pass

Counsel for the Petitioner:

1. SURESH KUMAR REDDY KALAVA

Counsel for the Respondent(S):

1. GP FOR ROADS BUILDINGS
2. GP FOR FINANCE PLANNING

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO**WRIT PETITION No.31142 OF 2023****ORDER:**

Sri N. Rupeswar Reddy, learned counsel representing learned counsel for the petitioner, sought permission of this Court to withdraw the writ petition. Learned counsel endorsed the same on the bundle.

Permission is accorded.

Accordingly, the present Writ Petition is dismissed as withdrawn. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 28.04.2026

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.31142 of 2023

Date: 28.04.2026

PBS