

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

WEDNESDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

WRIT APPEAL NO: 812 OF 2026

Writ Appeal under clause 15 of the Letters Patent Appeal preferred against the Order dated 22/12/2025 passed in W P No 35582 of 2025 on the file of the High Court.

Between:

M/s. Jayee Solutions, D. No. 18-4-256/4, Rajnnabowli, Aliabad, Hyderabad,
represented by its proprietor, Vijay Simhachari.

...Appellant/Petitioner

AND

1. The State of Telangana, rep. by it's Principal Secretary, Education Department (School Education), Secretariat, Saifabad, Hyderabad.
2. The State of Telangana, rep. by it's Principal Secretary, Finance and Planning Department, Secretariat, Saifabad, Hyderabad.
3. The Commissioner/Director School Education, State of Telangana, Saifabad, Hyderabad
4. The District Collector & District Magistrate, Hyderabad District, Collectorate Complex, Lakdi-Ka-Pool, Hyderabad
5. The District Educational Officer and Ex-Officio, District Project Officer, Samagra Shiksha, Hyderabad.
6. The Executive Engineer, Telangana State Education and Welfare Infrastructure Development Corporation, (TSEWIDC), District Collectorate Complex, Lakdi-Ka-Pool, Hyderabad - 500 004

...Respondents/Respondents

I.A. 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

respondent authorities to clear the pending bills for the subject work namely Repairs and Renovation to Govt. HS Police Boys CPL Grounds, Hyderabad, M .Corporation (V), Amberpet (M), Hyderabad, under Mana Ooru-Mana Badi Scheme covered by agreement No. 47/2022-2023 dated 12.01.2023, pending disposal of writ appeal.

Counsel for the Appellant: Sri. P.U. BHASKARA RAO

**Counsel for the Respondent Nos.1 to 3: Sri. A. SANTHOSH KUMARI,
AGP for School Education**

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL No.812 of 2026

Dated:05.08.2026

Between:

M/s. Jayee Solutions

...Appellant

and

The State of Telangana,
Rep. by its Principal Secretary,
Education Department (School Education),
Secretariat, Saifabad, Hyderabad,
and 5 others.

...Respondents

JUDGMENT:

Learned counsel Sri P.U.Bhaskara Rao appears for the appellant.

Ms. A.Santhosh Kumari, learned Assistant Government Pleader
for School Education Department, appears for respondents No.1, 3
and 5.

Sri Mohammed Hussain, learned Government Pleader for
Finance and Planning Department, appears for respondent No.2.

Sri A.Yadava Reddy, learned Standing Counsel for Telangana State Education & Welfare Infrastructure Development Corporation, appears for respondent No.6.

2. The present appeal arises out of the judgment dated 22.12.2025 passed in W.P.No.35582 of 2025.

3. The writ petitioner is the appellant, who is aggrieved by the impugned direction of the learned writ court, whereby the learned writ court, after taking note of the stand of respondent No.3 in his counter affidavit relating to the proposal forwarded to the Government for release of funds as against the claim of the writ petitioner for payment of outstanding dues, directed the respondents to pass appropriate orders within a period of four weeks as per the writ petitioner's legal entitlement and the principles laid down in the decisions of the Apex Court referred to thereunder. The impugned direction of the learned writ court is extracted hereunder:

"16. Taking into consideration:-

- a) The aforesaid facts and circumstances of the case.
- b) The submissions made by the learned counsel appearing on behalf of the petitioner and learned Assistant Government Pleader for School Education appearing on behalf of the respondent Nos. 1, 3 & 5.
- c) **The counter affidavit filed on behalf of the respondent No.3, in particular para Nos. 4 to 8 (referred to and extracted above)**
- (d) The observations in the judgments referred to and extracted above and enlisted below:

- (i) (2019) 16 SCC 794,
- (ii) (2023) 8 SCC 240,
- (iii) MANU/AP/0721/2022,
- (iv) 2021 SCCOnline AP 1410,
- (v) The judgment dated 22.03.2022 passed by the High Court of Andhra Pradesh in W.P.No.2511 of 2022,
- (vi) The judgment dated 21.04.2025 passed by this Court in W.P.No.11744 of 2025,
- (vii) The order dated 03.10.2023 passed by this Court in W.P.No.12655 of 2023,

(e) The discussion and conclusion as arrived at para Nos. 5 to 15 of the present order.

(f) The fact as borne on record which establishes that the work executed by the petitioner is not disputed by the executing Authority i.e., the 6th respondent herein, who had forwarded proposals for release of funds/clearance of pending payments, as specifically averred at para No.6 of the counter affidavit filed on behalf of the respondent No.3(referred to and extracted above)

(g) The specific pleas of the respondent Nos.1, 3 & 5 with regard to the delay in payments to the petitioner.

(h) The clear admission that the pending bills would be cleared promptly upon receipt of the necessary funds from the Government.

The Writ Petition is disposed of directing the respondents to consider the request of the petitioner for release of the admitted amounts as per the proposals forwarded to the Government as stated at para No.6 of the counter affidavit filed on behalf of the respondent No.3 (referred to and extracted above) and pass appropriate orders on the said proposals for release of funds/clearance of pending payments submitted to the Government vide Lr.No.364/SS/CW/2025-26, dated 26.06.2025, Lr.No.364/SS/CW/2025-26, dated 14.07.2025, Lr.No.634/SS/CW/2025-26, dated 02.08.2025, Lr.No.364/SS/CW/2025-26, dated 24.08.2025 and Lr.No.364/SS/CW/2025-26, dated 24.10.2025, pertaining to the subject work namely "Repairs and Renovation to Govt. HS Police Boys CPL Grounds, Hyderabad, M. Corporation (V), Amberpet (M), Hyderabad District" under "Mana Ooru-Mana Badi" program launched by State Government and covered by Tender Notice vide NIT No. EE/TSEWIDC/HYD/MOMB-MBMB/NIT/01/2022-23, dated 14.12.2022 and agreement No.47/2022-23, dated 12.01.2023, within a period of four (04) weeks from the date of receipt of the copy of the order, in accordance to law, as per petitioner's legal entitlement, duly taking into consideration the observations in the judgments of the Apex Court and other Courts (referred to and extracted above) and duly communicate the decision on the subject issue to the petitioner. However, there shall be no orders as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed."

4. The appellant is dissatisfied as the impugned direction is not categorical in terms. According to the learned counsel for the appellant, the learned writ court ought to have issued a categorical direction or a mandamus upon the respondents to make the payment within a time frame. Therefore, the appellant has preferred the present appeal.

5. However, upon hearing learned counsel for the parties, in our view, in a claim for contractual dues, in the instant case, the learned writ court took note of the stand of respondent No.3 -- the Commissioner/Director of School Education, and issued the impugned direction upon the respondents to consider the request of the appellant for release of the admitted amounts as per the legal entitlement, in view of the statement made at paragraph 6 of the counter affidavit of respondent No.3. The learned writ court has not determined the quantum of the claim raised by the appellant. Therefore, by the impugned direction the concerned respondents have been directed to consider the claim of the appellant for admitted amounts as per the stand of respondent No.3 in the counter affidavit and pass appropriate orders for release of the funds/clearance of pending payments. Funds are to be released by the Finance and Planning Department, which is also a party,

but has not filed any counter affidavit. The impugned direction, however, binds the concerned respondents, which include not only the Education Department, but the Finance Department also to consider release of the funds for admissible payments due to the appellant.

6. In view of the aforesaid facts and circumstances and the observations made hereinabove, we are of the considered view that no further clarification in the impugned direction can be allowed.

7. The writ appeal is accordingly disposed of without interfering in the impugned direction. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

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**SD/- N.SRIHARI
DEPUTY REGISTRAR**

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SECTION OFFICER

To,

1. The Principal Secretary, Education Department (School Education), Secretariat, Saifabad, Hyderabad.
2. The Principal Secretary, Finance and Planning Department, Secretariat, Saifabad, Hyderabad.
3. The Commissioner/Director School Education, State of Telangana, Saifabad, Hyderabad
4. The District Collector and District Magistrate, Hyderabad District, Collectorate Complex, Lakdi-Ka-Pool, Hyderabad
5. The District Educational Officer and Ex-Officio, District Project Officer, Samagra Shiksha, Hyderabad.
6. The Executive Engineer, Telangana State Education and Welfare Infrastructure Development Corporation, (TSEWIDC), District Collectorate Complex, Lakdi-Ka-Pool, Hyderabad - 500 004
7. One CC to Sri. P.U. BHASKARA RAO, Advocate [OPUC]
8. Two CCs to GP for SCHOOL EDUCATION, High Court for the State of Telangana, at Hyderabad [OUT]
9. Two CD Copies

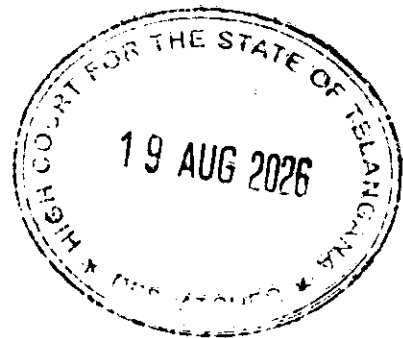
PSR *Ks*
TKS

HIGH COURT

DATED: 05/08/2026

ORDER

WA.No.812 of 2026



**DISPOSING OF
THE WRIT PETITION
WITHOUT COSTS.**

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