

Public Works (1899) Department.

G.O., No.

✓ 2555-W

DATED

29 September 1899.

[Despatch Abstract.]

Bapatla Taluk Cutcherry Case.

Recording letter from the Collector of
Kistna with the remark on stating that
the suit relating to the Bapatla Taluk
Cutcherry was decided against Govt &
awaiting his report as to whether an
appeal should be preferred or not.

No.

Date.

and handing over the same on or before the 31st July 1898 to the Executive Engineer or his authorised representative.

2. The contractor delayed in carrying out the work & disobeyed the orders issued from time to time by the Executive Engineer. He further tendered bricks which were unfit for the work. The Executive Engineer finding that the work could not be completed within the prescribed time, cancelled the contract.

3. A suit was then filed by the Contractor against (1) the Executive Engineer, Kuttam Western Division & (2) the Secy. of State for the recovery of Rs 4723-14-3 on account of the work already executed but not paid for & the loss sustained by him by rejecting some of the bricks & by cancelling the contract.

4. When sanction for the defence of the suit was applied for, doubts were entertained as to the validity

No.

Date.

1903 W 6-2-98
 702 W 24-2-99
 2240 W 31-8-98
 2113 W 19-8-98
 2054 W 12-8-98
 1607 W 28-6-98
 3268 20-5-98
 1608 2-5-98
 8th Dec

validity of the notices ~~and~~ said to have been served on the Contractor. The Govt. Pleader was consulted, & he gave it as his opinion that they were not valid under the terms of the contract, but as the Executive Engineer stated that he could prove that the Contractor ^{had been} working at a loss, it was considered that the damages, if awarded, would be only nominal for improper cancellation of the contract.

5. Govt. thereupon ordered the amount due to the contractor to be paid into Court & sanctioned the defence of the suit in G.O.

No 1607 W D 28.6.98. flagged H.

6. In G.O. No 2054 W D 12.8.98 flagged & the draft answer to be filed by the defendants was.

approved, & in G.O. No 2240 W issued in G.O. 1607 W D 28.6.98 flag H. D 31.8.98 flagged & the order to pay ^{into Court} the sum of Rs 500 claimed.

The contractor as has due
to the cancellation of the
contract was rescinded.

The Collector now reports
that the suit has been de-
cided against Govt., & states
that he has applied for
copies of the judgment & decree
and when he will advise
whether an appeal should be
preferred or not.

18.9.91

To

The Collector of Kistna

" Supts. Engr., II Circle

29/9/91

No. *1063* of 189

OFFICE

OF THE

COLLECTOR & MAGISTRATE,

MASULIPATAM,

KISTNA DISTRICT.

4th September 189

FROM,

R. M. O. R. I. S. Esq.,

COLLECTOR, KISTNA DISTRICT.

TO,

The Secretary to the Government,

Commissioners of Land Revenue,

Public Works Department, Madras.

SIR,

Adverting to G.O., No. 2240 W., dated 31st August

1898, I have the honour to report that the suit (relating to
Bapatla Taluk Cutcherry) in O.S. No. 15 of 1897, on the file
of the District Court, Kistna, was decided against Government.
I have asked the Government Pleader to obtain and send copies
of the judgment and decree, ~~over~~ receipt of which I shall
report again as to whether an appeal should be preferred or
not.

I have the honor to be,

Sir,

Your most obedient Servant,

W. S. S. S.
for Collector.

7.9.91