

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3625 of 2015

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Arun Kumar Son of Late Ramgopal Mahensaria, Proprietor M/S Arunalay Resident of E - 107, Raj Kishori Complex, Mulchand Path, Chitragupta Nagar, Kankarbagh, Patna 800020

.... Petitioner

Versus

1. The Secretary (Gramin Vikash) Rural Development, Govt. of Bihar, Patna
2. The Chief Executive officer, Jeevika Vidut Bhawan, Patna
3. Director General, Bihar Institute Public Administration and Rural Development Walmi Campus Phulwarisriff Patna,

.... Respondents

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Appearance :

For the Petitioner : Mr. Rajesh Dayal, Advocate
For the State : Mr. ANJANI KUMAR- AAG6
M/s Shailendra Kumar Singh and
Sunil Kumar, AC to AAG 6

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 24-03-2015

Heard learned counsel for the petitioner and the State.

Petitioner seeks direction to the respondent no. 3 for payment of admitted dues of 18,69,660/- against the total due amount of Rs. 41,41,800/-.

It is submitted that the petitioner was given order for supply of NRLM training items containing in softcopy/CD, i.e., transaction Book, Saving-cum-Loan Register, Pass Book and Meeting Book etc. to the Jeevika Office situated at Muzaffarpur, Nalanda, Madhubani, Saharsa and Supaul. It is claimed that part payment of Rs. 22,72,140/- has already been made to the petitioner, however, the balance amount of Rs. 18,69,660/- has

not been paid till date.

Learned counsel for the State draws the attention of this Court towards Annexure 1 in which it has been clarified that every agency would be entitled for supply equivalent to maximum of thirty five lacs rupees only.

However, the petitioner claims that, vide Annexure 3, further order was given and he has supplied in view of such requirement. He further submits that after receiving the supply the respondents are not entitled to raise such objection. It is contended that once the petitioner supplied the articles, he is entitled to receive the price of those.

In view of the aforementioned facts and circumstances, this writ application is being disposed of with a direction to the respondent no. 3, i.e., the Director General, Bihar Institute Public Administration and Rural Development Walmi Campus, Phulwarisrif, Patna, to examine the matter and take steps for payment of the admitted dues of the petitioner within a period of four weeks from the date of receipt/production of a copy of this order. If the admitted amount is not paid to the petitioner within such period then he would be entitled for simple interest at the rate of 10% per annum to be calculated from the date it became due till the date of its final payment. It is further

clarified that if the entire claim of the petitioner is not found admitted then he should be communicated the reasons for reaching such conclusion.

(Dr. Ravi Ranjan, J)

SC/-

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