

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9617 of 2014

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Ashwini Kumar (Contractor) S/o Sri Shiv Shankar Prasad Singh Resident of
Mohalla Purani Bijali Colony, P.O. + Police Station and District Jehanabad.

.... Petitioner

Versus

1. The Union of India through the General Manager, East Central Railway, Hajipur.
2. The Principal Chief Engineer, East Central Railway, Hajipur.
3. The Divisional Railway Manager, East Central Railway, Danapur.
4. The Senior Divisional Engineer (I), East Central Railway, Danapur.
5. The Senior DEN Mr. Sanjay Kumar Singh (1) D.N.R. East Central Railway, Danapur.
6. The A.D.E.N. / LINE / PATNA East Central Railway, Patna.
7. The Senior Engineer, East Central Railway, Jehanabad.
8. Mr. Ajay Bhardwaj the then In-charge of S.S.E. (W) JHD, at present as J.E. (W) MHX Under S.S.E. (W) Patna Junction (E.C. Railway).
9. Sr. S.S.E. (W) JHD, E.C. Railway, Jehanabad Station.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Adv.

For the Respondent/s : Mr. Mahesh Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-09-2015

Heard learned counsel for the petitioner and learned
Counsel for the State.

2. This writ petition has been filed seeking a direction
to the respondents to make payment of the petitioner's bills in
all aggregating to Rs. 38,91,504/- raised in respect of work done
by him for the Railways.

3. It is submitted on behalf of the petitioner that the
payments in question remained outstanding despite the zonal
works having already expired on 30.06.2013 and final bills of the

petitioner were directed to be prepared in terms of the letter dated 10.10.2013 issued by the respondent no. 6.

4. In view of the nature of the grievance of the petitioner, this writ petition is disposed of with consent of the parties, granting liberty to the petitioner to approach the Respondent No. 5 with a fresh representation, who will examine the matter and take steps for payment of the outstanding amount 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 outstanding amount is admitted but not paid to the petitioner within the said 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 remaining claim of the petitioner is not found admitted, then he should be communicated the reasons for reaching such conclusion.

(Vikash Jain, J)

Md. Ibrarul/-

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