

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7959 of 2015

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M/s Sahaj e-Village Limited, having its registered office at Mirania Garden, Plot No. 43, 10B/1 Topsia Road (East), Kolkata - 700046 and State Office at Rai Commercial Centre, behind A.N. College, Radha Krishna Mandir Marg, Shivpuri, Patna-23, through its Associate Vice President, G2C Services, Bihar, Shri Pradeep Roy, Son of Shri Jagadish Roy, resident of Flat No.106, Anand Vatika Apartment, Nehru Nagar, District Patna.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Information and Technology, Government of Bihar, Patna.
2. The Principal Secretary, Department of Information and Technology, Government of Bihar, Patna.
3. The Bihar State Electronics Development Corporation Limited through its Managing Director, registered office at Beltron Bhawan, Shastri Nagar, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Jitendra Singh, Sr. Advocate
Mr. Mrigank Mauli
Mr. Sanket
Mr. Prince Kumar Mishra, Advocates
For the State : Mr. Arvind Kumar No.1 - SC13
For Respondent No.3: Mr. Girijesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 18-12-2015

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

2. The present writ petition has been filed for a direction
to the respondent authorities to make payment of the outstanding
invoices of the petitioner in relation to revenue support till 31st
March 2015 to the tune of Rs. 35, 47, 81, 926/- with interest; for
refund of the amount deducted as liquidated damages from the bills
of the petitioner; to restrain them from doing so in future and for

other reliefs.

3. At the time of hearing of the matter, learned senior counsel for the petitioner confines the relief sought for payment of the admitted dues by the respondents.

4. Learned counsel for the respondents, on the other hand, objects on the ground of maintainability of the writ petition itself in absence of any agreement executed between the parties.

5. Be that as it may, this writ petition is disposed of with consent of the petitioner, granting it liberty to approach the Managing Director, Bihar State Electronics Development Corporation Limited, Beltron Bhawan, Shastri Nagar, Patna (Respondent No. 3) with a fresh representation for redressal of its grievances. If any such representation is filed within a period of two weeks from today, the same shall be considered and disposed of, ensuring payment to the extent found due to the petitioner, within a period of six weeks from the date of receiving the petitioner's representation. Any delay in payment of the admitted amount beyond the stipulated period as stated above, shall entitle the petitioner to receive payment together with simple interest at the rate of 9% per annum on the admitted dues calculated from the date when the amount became due till the date of its actual payment. In case the petitioner's claim is found inadmissible, whether in whole or in part,

the petitioner's representation shall be disposed of by a speaking order in that regard.

6. It is made clear that this Court is not expressing any opinion on the maintainability of the writ petition nor on the merits of the claim of the petitioner.

(Vikash Jain, J)

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