

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11943 of 2015

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Ramsharan Priyavastasalam, Son of Late Professor Babu Lal Roy, Resident of
Nandlal Tola, Nehru Chowk, P.O. and P.S. - Chapra, District - Saran at Chapra.

.... Petitioner

Versus

1. The Union of India through the General Manager, East Central Railways Hajipur.
2. The General Manager, East Central Railways, Hajipur.
3. The Divisional Railways Manager (Engineering), East Central Railways,
Sonepur
4. The Divisional Engineer, East Central Railways, Sonepur.
5. The Senior Divisional Engineer (Line), East Central Railways, Sonepur.
6. Senior Section Engineer (Works), East Central Railways, Hajipur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Akashdeep,
Mr. Krishna Kumar Yadav, Advocates
For the Respondents: Mr. Bijoy Kr. Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 22-09-2015

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. This writ petition has been filed for a direction to the
respondents to pay the outstanding dues of the petitioner along with
interest thereon towards the bills raised by him on account of the work
under Agreement No. DRM/T.C/1033 dated 29.12.2010 awarded in
favour of the petitioner.

3. It is submitted on behalf of the petitioner that work
relating to providing minimum infrastructure facilities at 18 Nos. LC
between Hajipur-Chapra Kacheri (ex.) was duly completed by the
petitioner under the aforesaid Agreement and final measurement of

the work completed was entered into the measurement book by respondent no.6 but no payment of the outstanding dues has been made to him.

4. In view of the nature of the grievance of the petitioner, this writ petition is disposed of with consent, granting liberty to the petitioner to approach the Divisional Engineer, East Central Railways, Sonepur (Respondent No.4) with a fresh representation, who will examine the matter and take steps for payment of the admitted dues of the petitioner within a period of six weeks from the date of receipt/production of a copy of this judgment. 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.

5. It is made clear that this Court is not expressing any opinion on the merits of the claim of the petitioner.

(Vikash Jain, J)

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