

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17304 of 2011

Vijay Kumar Yadav S/O Sri Amal Chand Yadav Proprietor of Ashu Enterprises
Registered Office At Gangjala Saharsa R/O Mohalla- Gautamnagar, Gangjala, P.S.
& District Saharsa

.... Petitioner

Versus

1. The Bharat Sanchar Nigam Limited through its General Manager office at Meghdoot Bhawan at R. Block Golumber at Patna
2. Telecom District Manager, Saharsa Office at Bharat Sanchar Nigam Limited, Veer Kunwar Singh Chowk Saharsa
3. Divisional Engineer (Planning) Bharat Sanchar Nigam Limited, Veer Kunwar Singh Chowk Saharsa
4. Divisional Engineer (Admin) Office of Bharat Sanchar Nigam Limited, Veer Kunwar Singh Chowk Saharsa
5. Sub-Divisional Engineer (Group) B.S.N.L. Birpur under District-Supaul
6. Junior Telecom Officer Bharat Sanchar Nigam Limited Birpur under District-Supaul

.... Respondents

Appearance :

For the Petitioner : Mr. Diwakar Prasad Singh, Advocate

For the Respondents: Mrs. Renuka Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 13-10-2015

The present writ petition has been filed for payment of dues of the petitioner in respect of which he completed work, pursuant to work order no.W661 DB/6-7/3 dated 16.05.2007 and work order no.W-661 D (b)/06-07 dated 19.12.2007 awarded in his favour.

2. Learned counsel for the petitioner submits that despite work having been completed in terms of the contract agreement as far back as in 2008 and submission of the bills, no payment whatsoever has been made to the petitioner till date.

3. A counter affidavit has been filed on behalf of the

respondents, according to which payment to the petitioner to the extent admissible could not be made as the petitioner was keeping the bill, measurement book and acceptance testing report with himself. In response to the letter of the respondents, the bill had been submitted but however, without measurement book and acceptance testing report, thus impeding the processing of the bill and payment.

4. Having heard learned counsel for the parties, this writ petition is disposed of with liberty to the petitioner to furnish the copies of the requisite documents such as measurement book and acceptance testing report to the concerned respondent, who shall examine the matter and make payment of the admitted dues within a period of three months from the date of receiving of the said documents from the petitioner. In case any part of payment is not admitted, reasons shall be assigned for the same by a speaking order in accordance with law.

5. The writ petition, accordingly, stands disposed of.

(Vikash Jain, J)

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