

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7581 of 2015

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M/s Laborate Pharmaceuticals India Limited a Company registered under the Indian Companies Act, 1996 having its registered office at E-11, Industrial Area, Panipat, Haryana through its Manager Marketing and authorized signatory Rajesh Ranjan son of Arvind Kumar Singh, resident of Mansarovar Garden, Satyam Block, Sinha Library Road, P.S.- Kotwali, Frazer Road, Patna-1.

.... Petitioner

Versus

1. The State of Bihar through the Commissioner-cum-Principal Secretary, Department of Health, Vikash Bhawan, New Secretariat, Government of Bihar, Patna.

2. The Bihar Medical Services and Infrastructure Corporation Limited, 5th Floor, Biscoman Bhawan, Gandhi Maidan, Patna through its Managing Director.

3. The Managing Director, Bihar Medical Services and Infrastructure Corporation Limited, 5th Floor, Biscoman Bhawan, Gandhi Maidan, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Jitendra Kumar Singh, Sr. Advocate

Mr. Mrigank Mauli,

Mr. Samir Kumar, Advocates

For the State : Mr. Sharad Kumar Sinha, GP 15

For Respondents : Mr. Tuhin Shankar,

Mr. Siddharth Shankar Pandey, Advocates

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 03-12-2015

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

2. The present writ petition has been filed for a direction to the respondents to make payment of the amount claimed by the petitioner to be due to him pursuant to work having been completed in terms of the work awarded in favour of the petitioner.

3. It is submitted on behalf of the petitioner that despite being entitled to the amount as claimed by the petitioner, only partial payment has been made, leaving a considerable amount outstanding to

be paid.

4. In the above view of the matter, this writ petition is disposed of with consent of the petitioner, granting him liberty to approach the Managing Director, Bihar Medical Services and Infrastructure Corporation Limited, 5th Floor, Biscomaun Bhawan, Gandhi Maidan, 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.

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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