

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17382 of 2015**

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Bihar Institute of Medical Science, Rukanpura, Bailey Road Patna through its  
Secretary Sarvesh Kumar Tiwari s/o Hrishikesh Tiwari resident of 601 Shanti  
Heritage, Rukanpura, Bailey Road, P.S. - Rupaspur, District - Patna.

.... .... Petitioner

Versus

1. The State of Bihar.
2. The Secretary, Labour Resources Department, Bihar, Patna.
3. The Director Employment & Training, Labour Department, Bihar, Patna.
4. The Assistant Director, Employment & Training, Labour Department, Bihar, Patna.
5. The Joint Director, Employment & Training Labour Department, Bihar, Patna.
6. The Directorate General of Employment & Training (DGE & T), Ministry of Labour & Employment Government of India, New Delhi.

.... .... Respondents

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**Appearance :**

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|------------------------|------------------------------------|
| For the Petitioner/s : | Mr. Sanjay Prasad, Advocate        |
| For the UOI            | Mr. Awadesh Kumar Pandey, SCGC     |
| For Resp. No. 6 :      | Mr. Ravinder Kumar Sharma, CGC     |
| For the State :        | Dr. Punam Kumari Singh, AC to GP 4 |

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date: 10-12-2015**

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  
respondents to make payment of the amount claimed by the petitioner  
institution to be due to it 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 institution, 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 liberty to approach the Director, Employment & Training, Labour Department, Bihar, 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 institution, within a period of six weeks from the date of receiving its representation. Any delay in payment of the admitted amount beyond the stipulated period as stated above, shall entitle the petitioner institution 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 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 institution.

**(Vikash Jain, J)**

B.T/-

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