

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9674 of 2014

Prabhat Kumar Singh, Son of Late Ramayan Singh, Resident of Mohalla - Block Road (Narkatiyaganj), Police Station - Sikarpur, District - West Champaran.

.... Petitioner

Versus

1. The Union of India through General Manager, East Central Railway, Hazipur.
2. The Divisional Railway Manager (Engineering), East Central Railway, Samastipur.
3. The Assistant Divisional Railway Manager (Engineering), East Central Railway, Samastipur.
4. The Senior Divisional Engineer (II), East Central Railway, Samastipur.
5. The Assistant Divisional Engineer-II, East Central Railway, Samastipur
6. Senior Section Engineer (Works), East Central Railway, Narkatiyaganj, District - West Champaran.
7. The Assistant Divisional Engineer, East Central Railway, Narkatiyaganj, District West Champaran.

.... Respondents

Appearance :

For the Petitioners : Mr. Satish Chandra Jha-3, Advocate

For the Respondents: Mr. Sunil Kumar Ravi, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 09-09-2015

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

2. This writ petition has been filed seeking a direction to the respondents to make payment of the amount of admitted dues in respect of the work done by the petitioner in connection with Contract Agreement No. DRM/TC/286 dated 03.02.2010 and Contract Agreement No. DRM/TC/286 (S)/511 dated 22.08.2012.

3. It is submitted on behalf of the petitioner that payments have been made in respect of the five running bills but no further

payment thereof in respect of subsequent bills has been made for which the petitioner has already filed several representations before the Respondent Nos. 4 and 7 which are said to be pending.

4. In view of the nature of the grievance of the petitioner, this writ petition is disposed of with consent of the parties, granting liberty to the petitioner to approach the Respondent No. 4 with a fresh representation, who will examine the matter and take steps for payment of outstanding amount of the admitted dues of the petitioner, if any, within a period of four weeks from the date of receipt/production of a copy of this order. If any amount of the outstanding dues is admitted but not paid to the petitioner within the said 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 any remaining claim of the petitioner is not found admitted, then he should be communicated the reasons for reaching such conclusion.

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(Vikash Jain, J)