WEB COPY NOT OFFICIAL

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2081 of 2014

==========

1. M/S M.S. Enterprises, through its Proprietor Smt. Manju Singh, 53 of Satyam Apartment, Kaviraman Path, Nageshwar Colony, Boring Road, Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Road Construction Department, Bihar, Patna
2. The Engineer-In-Chief Cum Commissioner Cum Special Secretary Road Construction Deptt., Bihar
3. The Chief Engineer, North Bihar, Road Construction Dept. At Patna
4. The Executive Engineer, R.C.D. Road Division No.- 2 Muzaffarpur
5. The Managing Director, Bihar Rajya Pul Nirman Nigam Ltd., Mangle Road, Patna
6. The Senior Project Engineer, Bihar Rajya Pul Nirman Ltd. Road Division, Daroga Rai Path, Patna

.... Respondent/s

==========

Appearance :

For the Petitioner/s : Mr. Suresh Pd Singh No.1, Advocate.

For the Respondent/s : Mr. Jawahar Pd. Karn, Advocate.

==========

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 14-12-2015

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 to be due to him pursuant to work having been completed in terms of the tender 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 Rajya Pul Nirman Nigam Ltd., Mangle Road, Patna (Respondent No. 5) with a fresh representation for redressal of his 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)

Md. Ibrarul/-

U			