

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5805 of 2015

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Umesh Kumar S/o Yugal Kishore Mahto resident of Village- Parsauni, Mailwar,
P.S.- Parsauni, Dist. - Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Building Construction Deptt. , Govt. of Bihar, Patna.
3. The Chief Engineer, Building Construction Deptt. Patna.
4. The Superintending Engineer, Building Construction Deptt., Muzaffarpur Circle,
Muzaffarpur.
5. The District Magistrate, Sitamarhi
6. The Executive Engineer, Building Division, Sitamarhi.
7. The Assistant Engineer, Building Division, Sitamarhi.
8. The Junior Engineer, Building Division, Sitamarhi.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sunil Kumar Verma, Advocate

For the Respondents: Mr. Sushant Praveer, AC to SC 27

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 07-12-2015

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 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 Executive Engineer, Building Division, Sitamarhi (Respondent No. 6) 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)

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