

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2710 of 2015

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Arun Kumar son of Late Ramgopal Mahensaria Resident of E-107, Raj Kishori Complex, Mulchand Path, Chitragupta Nagar, Kankarbagh, Patna - 800020.

.... Petitioner

Versus

1. The State of Bihar.
2. The Secretary (Gramin Vikash) Rural Development, Govt. of Bihar, Patna.
3. The Deputy Development Commissioner Rural Development, Patna, Bihar.
4. The Joint Deputy Development Commissioner Rural Development Patna, Bihar.

.... Respondents

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Appearance :

For the Petitioner : Mr. Rajesh Dayal, Advocate
For the State : M/s. Geeta Kumari, G.P.28 and
Parmeshwar Vishwakarma, A.C. to G.P.28

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 18-02-2015

Heard learned counsel for the petitioner and the State.

Through this writ application, the petitioner seeks direction to the respondent authorities for paying the admitted dues along with interest.

It is submitted that the petitioner, in view of the work order contained in Annexure-1, has supplied 20000 N.R.E.G.A. Books worth Rs.24,56,800/-.

It is submitted that the respondents have made part payment of Rs.6,10,000/- but the remaining admitted dues of Rs.18,46,800/- is not being paid since 15.06.2007.

If the claim of the petitioner is correct then it is very



unfortunate that the admitted dues have not been paid despite lapse of several years. It appears that there is Clause-5 in Annexure 1 which clearly stipulates that if the petitioner does not supply within time then his security etc. would be forfeited. Thus, if admitted amount is not being paid even after completion of work to the satisfaction of the authority, then the question would be as to why any interest etc. should not be paid by the authority concerned.

However, since the petitioner has already filed a representation before the respondent no.2, the Secretary, Rural Development, Bihar, on 12.06.2012 itself, this writ application is being disposed of with a direction to the respondent no.2 to take a decision in the matter within a period of six weeks from the date of receipt/production of a copy of this order. If the admitted dues are not found to be paid to the petitioner then expeditious steps should be taken for such payment preferably within a period of six weeks thereafter. Since the dues are from 2007, the respondent concerned would also look into the matter as to whether petitioner is entitled for any statutory interest etc. or not in view of the work order/contract/agreement. It is further made clear that if payment of admitted dues are not paid within the aforesaid period then, since the matter is quite old, the same would carry simple interest at the rate of 10% from the date when it became due till the date of final

payment on the unpaid amount.

(Dr. Ravi Ranjan, J)

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