

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19186 of 2015

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Dipendra Prasad Yadav S/o Late Sitaram Yadav resident of P.O.+P.S.- Birpur,
District- Supaul.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Water Resources, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Water Resources, Govt. of Bihar Patna
3. The Engineer in Chief (East), Department of Water Resources Govt. of Bihar, Patna.
4. The Chief Engineer, Department of Water Resources, Bhagalpur.
5. The Superintending Engineer, Department of Water Resources, Bhagalpur.
6. The Executive Engineer, Flood Control Division, Naugachhia.

.... Respondents

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Appearance :

For the Petitioner : Mr. Gautam Kumar Kejriwal, Advocate

For the Respondents : Mr. SANJAY PANDEY- GP21

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 17-12-2015

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 admitted dues of
the petitioner on account of bill raised by the Respondents for the
6th and final bill prepared on 28.05.2011 and passed on 30.06.2012
with interest.

3. It is submitted on behalf of the petitioner that
despite being entitled to the amount as claimed by the petitioner
for the work having been executed, payment of the 6th and final bill
remains pending.

4. Learned counsel for the Respondents appears and has been heard.

5. 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, Flood Control Division, Naugachhia (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.

6. 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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