

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5290 of 2014

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1. M/S Diamond Construction Through The Proprietor Shri Satendra Kumar, S/O Late Brij Kishore Singh Resident Of Mohalla- Sahyogpuri 2, P.O.- Chitragupta Nagar, P.S.- Kankarbagh, District- Patna

.... Petitioner/s

Versus

1. The State Of Bihar Null Null
2. The Principal Secretary, Department Of Urban Development And Housing, Government Of Bihar, Patna
3. Patna Municipal Corporation, Maurya Lok Complex, Patna, District- Patna
4. The Municipal Commissioner, Patna Municipal Corporation, Maurya Lok Complex, Patna, District- Patna
5. The Superintending Engineer, Patna Municipal Commissioner, District- Patna
6. The Executive Officer, Kankarbagh Works Division, Patna Municipal Corporation, District- Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar Manglam, Advocate.

For the Respondent/s : Mr. Ajay, GA-12

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 12-01-2016

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 the submission of bills in respect of work claimed to have been done by the petitioner, no payment till date has been made in respect of the same.

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 Municipal Commissioner, Patna Municipal Corporation, Maurya Lok Complex, District- Patna (Respondent No. 4) 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/-

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