

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5104 of 2014

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1. Amitesh Kumar S/O Late Kamal Narayan Chaudhary Vidyapati Colony, Jadu Ghar Ke Piche, P.G.P.O, Thana- Kotwali, Jila- Patna (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pradhan Sachiv, Urja Vibhag, Bihar Sarkar, Patna.
3. Abhiyanta Pramukh, Vidyut, Vidyut Karya Pramandal, Patna.
4. Mukhya Vidyut Abhiyanta, Vidyut Karya Anchal, Patna.
5. Vidyut Kanniya Abhiyanta, Vidyut Karya Anchal, Patna.
6. Vidyut Karyapalak Abhiyanta, Vidyut Karya Pramandal, Patna, Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Navin Kumar, Advocate.

For the Respondent/s : Mr. Ashok Kumar, SC-11

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 18-01-2016

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 the work in question has been completed to the satisfaction of the authorities but however the payment of Rs. 5,36,249/- claimed by the petitioner has not yet been 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 Engineer-in-Chief, Vidyut Karya Anchal (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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