

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 10643 of 2014

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M/s Aditya Agency through its Proprietor Usha Rai, Wife of Sri
Awadh Kumar Rai, Resident of Mohalla- Brahmasthan Chowk,
Balughat, Police Station- Muzaffarpur Town, District- Muzaffarpur
(Bihar). Petitioner/s

Versus

1. Br. Ambedkar Bihar University through its Registrar,
Muzaffarpur, District- Muzaffarpur.
 2. Vice-Chancellor, B.R.A. Bihar University, Muzaffarpur, District-
Muzaffarpur.
 3. The Registrar, B.R.A. Bihar University, Muzaffarpur, District-
Muzaffarpur.
 4. Professor and Head, University Department of Physics, B.R.A.
Bihar University, Muzaffarpur, District- Muzaffarpur.
 5. Development Officer, B.R.A. Bihar University, Muzaffarpur,
District- Muzaffarpur. Respondent/s
- =====

Appearance :

For the Petitioner/s : Mr. Nand Kumar Singh, Adv.

For the Respondent/s: Mr. Dhruva Mukherjee, Adv.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 15-02-2016

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 for supply of Laser KIT "Omega" ES
312 to ES-316, ES-351 and ES-361 (Seven Experiments) to
Respondent No. 4 in compliance of order issued vide Letter
No. Phy/08/06 dated 19.10.2006 of respondent No. 4.

3. It is submitted on behalf of the petitioner that
despite being entitled to the amount as claimed by the

petitioner only partial payment of Rs. 1,53,260/- has been made against Bill No. 104 whereas the other Bill No. 160 for Rs. 97,740/- remains unpaid.

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 Registrar, B.R.A. Bihar University, Muzaffarpur (Respondent No. 3) 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 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/-

(Vikash Jain, J)

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