

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7235 of 2014

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Firoz Ahmad S/o - Late Farooque Ahmad, resident of village - Sahebganj (Purani Gurhatti), P.O. - Sahebganj, P.S. - Chapra Town, District - Saran (Chapra)

.... Petitioner

Versus

1. The State of Bihar.
2. The Director, Agriculture, Bihar, Patna.
3. The Joint Director Agriculture, Bihar, Patna.
4. The District Magistrate, Saran (Chapra).
5. The District Agriculture Officer, Saran (Chapra).
6. Three Men Committee constituted for the purpose of verification of installation of Tent, Shamiyana and Electric, Sonepur Mela represented through Shri Jeev Kant Jha, Assistant Soil Expert, Saran.
7. Three Men Committee constituted for the purpose of verification of installation of Tent, Shamiyana and Electric, Sonepur Mela represented through the District Horticulture Officer, Saran.

.... Respondents

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Appearance :

For the Petitioner : Mr. Shri Prakash Srivastava
Mr. Amit Bhushan,
Mrs. Anu Priyadarshni, Advocates

For the Respondents: Mr. Dhurjati Kr Prasad, GP 7
Ms. Parinita Rai, AC to GP 7

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT

Date: 21-01-2016

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 work awarded in favour of the petitioner.

3. It is submitted on behalf of the petitioner that having

completed the work in question, the entire amount of Rs.21,22,927/- as claimed by the petitioner remains unpaid.

4. A counter affidavit has been filed on behalf of respondent nos. 4 and 5, according to which the entire dues of Rs. 21,22,927/- are admitted but the same could not be paid as allotments of fund are awaiting.

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 District Agriculture Officer, Saran (Chapra) (Respondent No. 5) 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)

B.T/-

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