

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3037 of 2013

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Tripurari Sharan Singh, Son of Ram Balak Singh, resident of village - Totha,
Post Office - Purkhauli, Police Station - Lalganj, District - Vaishali

.... Petitioner

Versus

1. The State of Bihar through Secretary, Road Construction Department, Government of Bihar, Patna
2. The Engineer – in – Chief – cum - Additional Commissioner – cum - Special Secretary, Road Construction Department, Government of Bihar, Patna
3. The Chief Engineer, National Highway Wing, Bihar, Patna
4. The Superintending Engineer, National Highway Circle, Muzaffarpur
5. The Executive Engineer, N.H. Division No. 2, Muzaffarpur

.... Respondents

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Appearance:

For the Petitioner : Mr. Satish Narain Singh, Advocate

For the Respondents : None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 18-10-2016

Heard learned counsel for the petitioner.

2. The present writ petition has been filed for direction to the respondents to make payment of Rs. 3,26,388/- and Rs. 2,25,893/- said to be due to the petitioner in respect of the works completed under separate agreements.

3. Learned counsel for the petitioner makes a statement at the Bar that the payment of Rs. 3,26,388/- has since been received by the petitioner and hence the prayer in this behalf is not pressed and is dismissed as such.

4. With regard to the outstanding amount of Rs. 2,25,893/-, the petitioner submits that representations have been filed before the Executive Engineer, N.H. Division 2, Muzaffarpur (Annexures 9 and 9/A) but the petitioner has yet to be received the payment in question.

5. None appears on behalf of the respondents when the

matter is called today.

6. Having regard to the nature of the grievance of the petitioner, this writ petition is disposed of with the consent of the petitioner, granting him liberty to approach the Executive Engineer, N.H. Division No. 2, Muzaffarpur (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.

7. Needless to say, this Court has not expressed any opinion on the merits of the claims of the petitioner.

B.T/Chandran

AFR/NAFR	NAFR
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(Vikash Jain, J)