

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9211 of 2012

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Amit Pharmaceuticals, authorized stockiest of M/S Rajasthan Drugs and Pharmaceuticals Ltd, Jaipur, (a Government of India Enterprises) having its office at Rastogi House, Gaouria Math, Patna - 1, through its Proprietor Naresh Kumar Rastogi, son of late Purushottam Lal Rastogi

.... Petitioner

Versus

1. The State Of Bihar
2. The Civil Surgeon cum Chief Medical Officer, Jehanabad

.... Respondents

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Appearance :

For the Petitioner : Mr. Laxmi Narayan Das
Mr. Subroteswar De
Mr. Sudeep Das, Advocates
For the Respondents : Mr. Ravindra Kr Choubey SC8

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT
Date: 28-06-2016

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 for making payment of price of medicines said to have been supplied by the petitioner to the respondent no. 2.

3. Learned counsel for the petitioner states that against supply of medicines, an amount of Rs. 80,405.67/- is owing to the petitioner through invoice no. 527 acknowledged by respondent no. 2.

4. Learned counsel for the respondents submits that the claim of the petitioner has not been processed in absence of the documents in support of such claim being available in the office of the respondent no. 2.

5. Having regard to the stand of the parties, this writ petition is disposed of with consent of the petitioner, granting it liberty

to approach the Civil Surgeon-cum-Chief Medical Officer, Jehanabad (Respondent No. 2) with a fresh representation for redressal of its 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 eight weeks from the date of receiving the petitioner's representation. Respondent no. 2 shall intimate the petitioner with regard to any document, as may be required in support of the petitioner's claim and in such event, the petitioner shall, without, delay supply such details and documents to the respondent no. 2. 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/-

AFR/NAFR	NAFR
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