

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20227 of 2014

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M/s Infotech at Kaviwar Nepali Path, Bettiah, West Champaran, Bihar, through its
Proprietor- Sri Gyanendra Sharan, S/o Shri Ravi Sharan Srivastava

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Development Department, Govt. of Bihar, Patna
2. The Deputy Development Commissioner, West Champaran, Bettiah
3. The Collector, West Champaran, Bettiah

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Archana Jha, Adv.

For the Respondent/s : Mr. Sadanand Paswan, G-P29

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 25-02-2016

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 Collector, West Champaran, Bettiah to make
payment of Rs. 28,73,468/- to the petitioner-firm for the data
entry work done by the petitioner-firm relating to the Parivarik
Sarvekshan Suchi (Family Survey List) along with interest.

3. Learned counsel for the petitioner submits that
despite having completed the work awarded to it for
computerization of Parivarik Sarvekshan Suchi-Prapatra- "Ka" for
which he is entitled to further amount of Rs. 28,73,468/- after
deducting the amount of Rs. 30 lacs received in advance, such
outstanding amounts still remains unpaid.

4. Learned counsel for the respondents, on the other

hand, submits that the claim for Rs. 28,73,468/- is incorrect and at best the petitioner may be entitled to the balance amount of Rs. 3,86,049/- after adjustment of the advance of Rs. 30 lacs already paid as stated in para-10 of the counter affidavit.

4. Having regard to the stand of the parties, this writ petition is disposed of with consent of the petitioner, granting him liberty to approach the Deputy Development Commissioner, West Champaran, Betiah (Respondent No. 2) 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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