

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5491 of 2014

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M/S BIHAR MODERN FURNITURE SHOP THROUGH ITS PROPRIETOR
NAND KISHORE SHARMA SON OF LATE MAHADEO SHARMA,
RESIDENT OF VILLAGE KASHMABAD, P.O. GANGAPUR, P.S.-
SULTANGANJ, DISTRICT BHAGALPUR, HEAD OFFICE- OLD MARKET
ROAD, PUNCHAWATI COLONY, SHIV MANDIR, P.O. CHANDPURA, P.S.-
CHANDPURA, DISTRICT- BOKARO (JHARKHAND). C/O SHALIGRAM
SHARMA, M.D. COMPLEX, JAMAL ROAD, PATNA-1

.... PETITIONER

VERSUS

1. INDIAN BANK PATNA, MAIN BRANCH, THROUGH ITS CHIEF
MANAGER, BISCOUMAN BHAWAN, WEST GANDHI MAIDAN, PATNA
2. THE DEPUTY GENERAL MANAGER, INDIAN BANK, CIRCLE OFFICE,
PATNA
3. THE ASSISTANT GENERAL MANAGER AND CIRCLE- HEAD OF
INDIAN BANK, PATNA, CIRCLE OFFICE, GOVINDA BHAWAN (1ST
FLOOR), NEW DAK BUNGLOW ROAD, PATNA

.... RESPONDENTS

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Appearance :

For the Petitioner : Mr. Jitendra Kumar Giri, Advocate
For the Respondents : Dr. Binay Kumar Singh, Advocate
Mr. Amit Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 12-01-2016

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 tender awarded in favour of the
petitioner.

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

only partial payment has been made, leaving a considerable amount outstanding to be paid.

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 Chief Manager, Indian Bank, Main Branch, Biscouman Bhawan, West Gandhi Maidan, Patna (Respondent No.1) 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)

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