IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7278 of 2014

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Kapildeo Prasad Kapil Son of Late Sahdeo Raut, resident of Narayan Nagar Shikshak Colony, Mahespur Aliganj, P .S- Mirzanhat, District- Bhagalpur.

.... Petitioner

Versus

1. The Union of India through the Secretary, Ministry of Finance, New Delhi.
2. The Chief Commissioner, Income Tax Administration (Bihar & Jharkhand), Patna.
3. The Commissioner of Income Tax, Bhagalpur.
4. The Additional Commissioner, Income Tax, Range-1, Bhagalpur.
5. The Commissioner of Income Tax, Dhanbhad
6. Income Tax Officer Hqr. (Administration) Dhanbad.
7. Additional Income Tax Officer, Range- III, Deoghar.

.... Respondents

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Appearance :
For the Petitioner : Mr. Rajib Ranjan Jha, Advocate
For the Respondents: None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT
Date: 22-01-2016

Heard learned counsel for the petitioner.

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 services rendered by the petitioner-company by way of providing security guards in their offices in terms of the order dated 10.09.2002 issued by respondent no.4.

3. Learned counsel for the petitioner submits that the petitioner-company had provided security guards in the Income Tax Offices pursuant to letter no.199 dated 12th September, 2002 issued by respondent no.4 as well as letter no.111/10-11 dated 30.08.2010

issued by respondent no.7. It is however submitted that some of the bills in relation to the services rendered by the petitioner remained outstanding.

4. None appears on behalf of the respondents despite repeated calls.

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 Additional Commissioner, Income Tax, Range-1, Bhagalpur and the Additional Income Tax Officer, Range- III, Deoghar (Respondent Nos. 4 and 7) with fresh representations for redressal of his grievances. If such representations are 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 representations. 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 representations 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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