

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21828 of 2014

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Deo Narayan Yadav Son of Late Babujee Yadav, R/o village - Parmanandpur, P.S-
Shri Nagar, District - Madhepura

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department,
Government of Bihar, Patna.
2. The Chief Engineer, Water Resources Department, Purnea.
3. The Superintending Engineer, Canal Circle, Purnea
4. The Chief Engineer, Water Resources Department, Saharsa.
5. The Superintending Engineer, Canal Circle, Saharsa.
6. The Superintending Engineer, Planning & Monitoring Circle-2, Patna.
7. The Executive Engineer, Irrigation Division, Murliganj, Madhepura.

.... Respondents

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Appearance :

For the Petitioner : Mr. Alok Ranjan, Advocate

For the Respondents: Mr. Avinash Kumar, AC to GA 6

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 26-02-2016

The present matter relates to the claim of payment of the bill amount under various heads against the work claimed to have been done by the petitioner in terms of the work awarded to him.

2. Learned counsel for the petitioner invites attention to the supplementary counter affidavit filed on behalf of the respondents according to which certain payments have no doubt been made but, however, the payments claimed by the petitioner with reference to time extension in respect of the work contract are not being paid in terms of the respondent's letter dated 10.10.2015 (Annexure-B).

3. Having regard to the remaining grievance of the petitioner, this writ petition is disposed of with consent of the

petitioner, granting him liberty to approach the Principal Secretary, Water Resources Department, Government of Bihar, 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. It is further made clear that any claim for interest on delayed payment made but belated may be agitated by the petitioner before appropriate forum as may be available to him in accordance with law.

4. 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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