

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15728 of 2016

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Rawatsons Engineers Pvt. Ltd., through its Director, Manas Rawat, son of Sri Damaru Dhar Rawat, resident of CB - 54, Salt Lake, P.S. Bidhan Nagar (North), Kolkata-64 (West Bengal)

.... Petitioner

Versus

1. The East Central Railways, Hajipur through its General Manager
2. The Financial Advisor - Cum - Chief Accounts Officer, East Central Railway, Hajipur
3. The Chief Bridge Engineer, East Central Railway, Hajipur
4. The Deputy Chief Engineer/Bridge/Line, East Central Railway, Hajipur

.... Respondents

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Appearance :

For the Petitioner : Mr. P.K. Verma, Sr. Advocate.
Mr. Rajiv Kumar Verma, Sr. Advocate.
Mr. Prashant Sinha, Adv.

For the Respondents : Dr. Anshuman, Adv.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 11-11-2016

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The present writ petition has been filed for a direction to the respondent authorities to make payment of the admitted bill drawn in favour of the petitioner on 02.05.2016 for an amount of Rs. 80,97,652.50 for the work done in connection with retrofitment of *Rajendrapul at Mokama* vide agreement no. CE/ECR/HJP/TC/139 dated 29.12.2014 after making measurement of the work done in respect of the bill relating to the aforesaid amount.

3. It is submitted on behalf of the petitioner that despite being entitled to the amount as claimed by the petitioner, no payment has yet been made.

4. In the above view of the matter, this writ petition is disposed of with consent of the petitioner, granting it liberty to approach the Chief Bridge Engineer, East Central Railway, Hajipur (Respondent No. 3) 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 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/BT

AFR/NAFR	NAFR
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