

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3724 of 2014

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Naushaba Khatoon W/O Md. Wahid Hussain R/O Hajipur Gola, P.O. & P.S.
Rafiganj, District- Aurangabad (Bihar)

.... Petitioner

Versus

1. The Secretary, Urban Development Deptt. Govt. Of Bihar, Patna
2. The District Magistrate, Aurangabad
3. The Executive Officer, Nagar Panchayat Rafiganj, District Aurangabad
4. The Executive Officer, Nagar Panchayat, Rafiganj, Aurangabad

.... Respondents

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Appearance :

For the Petitioner : Mr. Fakhruddin Ali Ahmad, Advocate

For the Respondents : Mr. Kinkar Kumar, SC 27

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 04-01-2016

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 her 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 her liberty to

approach the Executive Officer, Nagar Panchayat Rafiganj, District Aurangabad (Respondent No. 3) with a fresh representation for redressal of her 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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