

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11558 of 2017

=====

M/s Eleco Construction Pvt. Ltd., having registered office at Sri Krishna Nagar
P.O. & P.S. Begusarai District Begusarai through its Director Rabindar Kumar
Chaudhary.

.... Petitioner

Versus

1. The Union of India through the General Manager, E.C. Railway at & P.O.
Hajipur Distt. Vaishali.
2. The FA & CAO, E.C. Railway at & P.O. Mahendrughat, District- Patna.
3. The Divisional Engineer II, E.C. Railway, At & P.O. Danapur Distt. Patna.
4. The Divisional Manager, E.C. Railway, At & P.O. Danapur Distt. Patna.

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Nand Kishore Singh
Mr. Jitendra Kumar, Advocates.

For the Respondents : Mr. Bindhyachal Singh,
Mr. Manish Prakash, Advocates.

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 27-11-2017

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

2. The present writ petition has been taken up out of turn
on the request of learned counsel for the petitioner for disposal of the
same with a direction to the respondents to pay the admitted dues of
the petitioner.

3. Learned counsel for the petitioner submits that pursuant
to a contract entered into between the respondent-Railway, the
petitioner completed the work in question against which final bill for
Rs. 4,41,725/- has not been paid. The security amount has not yet been
refunded.

4. Learned counsel for the respondents appears and has
been heard.

5. Having regard to the nature of the grievances of the



petitioner and with consent of the parties this writ petition is disposed of, granting liberty to the petitioner to approach the Divisional Manager, E.C Railway, Danapur, Patna (Respondent No. 4) 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 6% 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.

6. It is made clear that this Court is not expressing any opinion on the merits of the claim of the petitioner.

Md. Ibrarul/BT

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	29.11.2017
Transmission Date	N.A.

