IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16010 of 2016

==========

Rama Shankar Prasad son of late Rameshwar Prasad Partner of Rashtriya Agricultural Porducts, Rajendra Path, Patna - 800001.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, P.H.E.D. Department, Bihar, Patna.
2. The Chief Engineer, P.H.E.D. Department, Purnea Zone Purnea.
3. The Superintendent Engineer, P.H.E.D. Purnea Circle Purnea.
4. The Executive Engineer P.H.E.D. Department, Katihar.
5. The Sub-Divisional Officer, P.H. Sub-Division, Katihar.

.... Respondents

==========

Appearance :
For the Petitioner : Mr. Sabal Kumar Jha, Advocate.
For the Respondents : Mr. S. Raza Ahmad, AAG-5
Mr. Alok Ranjan, AC to AAG-5

==========

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT
Date: 20-11-2017

The present writ petition has been filed for a direction to the respondents to make payment of Rs. 2,58,741/- against the supply of spare parts by the petitioner as per order dated 06.03.2007 issued by the Superintending Engineer, P.H.E.D. Purea Circle, Purnea.

2. Learned counsel for the petitioner submits that despite having made the supply of spare parts as required, he has not been paid his dues.

3. Having regard to the nature of the prayer of the petitioner, the writ petition is disposed of granting liberty to the petitioner to approach the Superintending Engineer, P.H.E.D. Circle Purnea Circle, Purea (respondent no. 3) with a fresh representation for

WEB COPY

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 eight 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.

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)

Md. Ibrarul /Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	22.11.2017
Transmission Date	N.A.

WEB COPY