

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17124 of 2007

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M/S Bittu Enterprises, a proprietorship firm through its proprietor Vinod Singh, son of late N.P. Singh resident of Shambhuganj, P.S. Sarai, District Vaishali

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Department of Energy, Sichai Bhawan, Patna.
2. The Chief Election Officer, Bihar Mangles Road, Patna.
3. The Superintending Engineer, Electrical Work Circle, Patna
4. The Electrical Executive Engineer, Electrical Work Circle, Muzaffarpur
5. The District Election Officer-cum-District Magistrate, Araria
6. The Electrical Assistant Engineer, Electric Sub-Division, Saharsa
7. The State Election Commission, through the Chief Election Officer, Mangles Road, Patna, Bihar

.... Respondents

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Appearance :

For the Petitioner : Mr. Shankar Dayal Singh, Advocate

For the Respondents : None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 01-12-2017

Heard learned counsel for the petitioner.

2. The present writ petition has been filed for payment of the admitted dues against three works executed by the petitioner relating to temporary lighting arrangements during the Bihar Vidhan Sabha Election 2005.

3. Learned counsel for the petitioner submits that despite having done the work of the temporary lighting arrangements and the authorities having issued "satisfactorily work done certificate" even though the admitted dues of sum of Rs. 4,81,569/-, Rs. 1,01,235/- and Rs. 6,68,429/- respectively have not yet been paid to the petitioner.

4. None appears on behalf of the respondents despite



repeated calls.

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 Electrical Executive Engineer, Electric Work Division, Muzaffarpur (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 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.

(Vikash Jain, J)

B.T/Chandran

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