

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.930 of 2016

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1. Vinesh Kumar Son of Shri Ram Babu Prasad Resident of village - Chandmari,
P.S. Sahpur, District - Patna

.... Petitioner/s

Versus

1. The Managing Director, Bihar State Tourism Development Corporation,
Kautalya Vihar, Birchand Patel Path, Patna 800001
2. The General Manager, Bihar State Tourism Development Corporation, Kautalya
Vihar, Birchand Patel Path, Patna 800001
3. The Chief Engineer, Bihar State Tourism Development Corporation, Kautalya
Vihar, Birchand Patel Path, Patna 800001
4. The Executive Engineer, Bihar State Tourism Development Corporation,
Kautalya Vihar, Birchand Patel Path, Patna 800001
5. The Assistant Engineer, Bihar State Tourism Development Corporation,
Kautalya Vihar, Birchand Patel Path, Patna 800001
6. The Junior Engineer, Bihar State Tourism Development Corporation, Kautalya
Vihar, Birchand Patel Path, Patna 800001

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Nikesh
For the Respondent/s : Mr. Rajeev Ranjan Prasad,
Mr. Abhimanyu Vaka,
Mr. Sudhanshu Trivedi
Mr. Abhishekh Singh,
Mr. Rajni Kant Singh.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT
Date: 17-02-2017

Heard the parties.

In the present writ petition, petitioner is claiming that he is
entitled for the admitted amount of Rs. 34,36,618/- along with
12 per cent interest as he has executed the work within the time.

Brief fact of the case is that Bihar State Tourism
Development Corporation (hereinafter referred to as the



Corporation) published a tender notice on 10.5.2013 for renovation of Amarpali Vihar Cafeteria and Youth Hostel at Vaishali on the estimated cost of Rs.1,08,91,196.53 and petitioner was successful bidder. The work order was issued on 20.8.2013. In pursuance thereof the Corporation has executed agreement with the petitioner vide agreement No.35/F2/2013 dated 20.9.2013 and accordingly petitioner has executed the work assigned and completed the work successfully. In pursuance thereof the petitioner was paid Rs. 77,95,144/- against the outstanding dues of Rs.1,08,91,196.53 and remaining admitted amount of Rs.34,36,618/- is still unpaid to the petitioner.

Learned counsel for the Corporation submits that petitioner is not entitled to Rs.34,36,618 as he has already been paid Rs. 96,00,000/- whereas he is entitled some where for Rs.8,00,000/- which has been disputed by the learned counsel for the petitioner. He has further submitted that as per latest information from the petitioner he is entitled to Rs.16,00,000/-.

In such view of the matter, petitioner is directed to file a detailed representation before the Principal Secretary, Bihar State Tourism Development Corporation, Patna who will examine the case of the petitioner and he must see if the



petitioner is entitled to the said amount the said amount should be released by the State to the Corporation in turn the payment will be made to the petitioner within a period of three months from the date of filing of the representation.

With the aforesaid observation and direction this writ petition is disposed of.

(Shivaji Pandey, J)

Vinay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.2.2017
Transmission Date	NA

