

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11517 of 2017

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Bhojpur High Tech Agro Products Pvt. Ltd., having its registered address at Godhna Road, Arrah, P.S. Nawada Arrah, District Bhojpur, through its Managing Director, Sunil Kumar Singh, son of late Shyam Deo Singh, r/o. Bharti Bhawan, Bandhan Tola, P.S. Nawada, District Bhojpur.

.... Petitioner

Versus

1. Bihar State Food & Civil Supplies Corporation Ltd. through its Managing Director, Patna.
2. Managing Director, Bihar State Food & Civil Supplies Corporation Ltd. through its Managing Director, Patna.
3. General Manager, Bihar State Food & Civil Supplies Corporation Ltd. through its Managing Director, Bhojpur, Arrah.
4. District Manager, Bihar State Food & Civil Supplies Corporation Ltd. through its Managing Director, Bhojpur, Arrah.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Harsh Singh, Advocate

For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 23-11-2017

Heard learned counsel for the petitioner and learned Counsel for the BSFC.

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 it pursuant to work having been completed in terms of the contracts awarded in favour of the petitioner.

3. It is submitted on behalf of the petitioner that despite having supplied Custom Milled Rice (CMR) to the Bihar State Food & Civil Supplies Corporation Limited (BSFC) under three contracts, payment of substantial amount against the supplies remains outstanding.

4. Learned counsel for the respondent-BSFC appears and has been heard.



5. In the above view of the matter, this writ petition is disposed of with consent of the petitioner, granting it liberty to approach the Managing Director, Bihar State Food & Civil Supplies Corporation Limited, Patna (Respondent No. 2) 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 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. It is made clear that the petitioner shall co-operate in the matter of verification of documents, if called upon to do so.

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

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	27.11.2017
Transmission Date	N.A.

