

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9388 of 2017

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M/s Electro Complex, Nitishwar Marg, Aam Gola, Muzaffarpur through its Proprietor Raja Prasad Kejriwal, Son of Late Keshardeo Kejriwal, Resident of 210, Jamnalal Bajaj Street, Lohia Market, 4th Floor Room no.3, P.O. + P.S. Bara Bazar, District-Kolkata (west Bengal).

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principle Secretary, Public Health Engineering Department (PHED), Government of Bihar, Patna.
3. The Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department (PHED), Government of Bihar, Patna.
4. The Chief Engineer, (Mechanical), Public Health Engineering Department, (PHED), Government of Bihar, Patna.
5. Superintending Engineer, Public Health Engineering Mechanical Circle, Bihar Veterinary Campus, Patna.
6. Executive Engineer, Public Health Mechanical Division, Bihar Veterinary Campus, Patna.
7. Executive, Public Health Engineering Division, Bihar Sharif

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Brisketu Sharan Pandey, Adv. Mr. Prince Kumar Mishra, Adv.
For the State	:	Mr. Lalan Kumar, AC to GP-9

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 22-08-2017

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

In this case, the Government has floated a tender, the petitioner was allotted the work for supply and installation of electrically drive V.T. pump set for Urban W/s Sadar Hospital, Bihar Sharif under P.H. Mech. Division, Patna and the total amount of the work order was Rs. 4,57,000/-.



Learned counsel for the petitioner submits that the petitioner has been paid an amount of Rs. 3,70,000/- but, he has been deprived of Rs. 1,05,280/- which is an admitted due amount which also gets support from the letter dated 18.5.2010 issued by the Executive Engineer, Public Health Engineering Division, Patna wherein it has been stated that the due amount has not been allotted for payment to the petitioner.

Let the petitioner should file a representation before the Principal Secretary, Public Health Engineering Department, Government of Bihar who will examine the case of the petitioner and if it is found that the petitioner is entitled for the same, the payment should be made to him expeditiously preferably within a period of four months from the date of filing of the representation by the petitioner. If he finds that the claim of the petitioner is not true, he will pass orders accordingly after giving an opportunity of hearing to the petitioner within the same period of four months.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.08.2017
Transmission Date	NA

