

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5703 of 2018

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Shyam Bhagat S/o Late Radhe Bhagat resident of Mohalla - Chhoti Marai, P.O. -
Nagar Hajipur, P.S. Nagar Thana Hajipur, District - Vaishali.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Building Construction Department, Bihar, Patna.
2. The Chief Engineer, Building Construction Department, Bihar, Vishweshwaraiya Bhawan, Patna.
3. The Superintending Engineer, Building Construction Department, Muzaffarpur Division, Muzaffarpur.
4. The Executive Engineer, Building Construction Department, Vaishali Division, Hajipur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Bishwajeet Kumar
Ms. Shama Preveen, Advocate.

For the Respondents : Mr. Rakesh Ranjan, AC to GP22

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 08-05-2018

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

2. This matter has been taken up out of turn on the
request of learned counsel for the petitioner for payment of its
outstanding dues and the petitioner sought for following reliefs -

*“(i) For issuance of writ/writs, order/orders for payment of bills
amounting Rs. 2,86,863/- for the completion of work against
work order issued by Respondent No. 4 by his letter no. 1717
dated 30.12.2015.*

(ii) For commanding the respondents that after completion of



work order and submission of bill of Rs. 2,86,863/- in the month of March, 2016, the petitioner made several request for payment but payment has not yet been paid.

(iii) For any other writ/writs, order/orders, direction/ directions as this Hon'ble Court may deem fit and proper as the fact and circumstances of the case."

3. Learned counsel for the petitioner submits that despite completion of the work allotted in terms of letter no. 1717 dated 30.12.2015 issued by the Executive Engineer, Building Construction Department, Vaishali Division, Hajipur (respondent no. 4) an amount of Rs. 2,86,863/- remains outstanding for payment.

4. Learned counsel for the respondents appears and has been heard.

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 Executive Engineer, Building Construction Department, Vaishali Division, Hajipur (Respondent No. 4) with a fresh representation for 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 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)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	15.05.2018
Transmission Date	N.A.

