

## IN THE HIGH COURT OF JUDICATURE AT PATNA

### Civil Writ Jurisdiction Case No.897 of 2017

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Ravindra Kumar Gupta Son of late Laxmi Narayan Shah Resident of 303 , Shila Apartment , 3rd Floor, New Bahadurpur Bazar Samiti Road, P.S. Bahadurpur, District Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Building Construction Department, Government of Bihar, Patna.
2. Principal Secretary, Building Construction Department, Government of Bihar, Patna
3. The Superintending Engineer, Building Division, Building Construction Department, Government of Bihar, Patna.
4. The Executive Engineer, Building Division, Building Construction Department, Government of Bihar, Patna.

.... .... Respondent/s

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#### Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Adv

For the Respondent/s : Mr. U. S. S. SINGH- GP19

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL JUDGMENT

**Date: 06-03-2018**

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

2. The present writ petition has been taken up out of turn on the request of learned counsel for the petitioner for disposal of the same with a direction to the respondents to pay the admitted dues of the petitioner without any further delay along with statutory and penal interest.

3. Learned counsel for the petitioner submits that despite having completed the work of repair of Barrack No. 6 in the AKK Campus at Beur, Patna vide agreement no. 120 F2 of 2013-14 the petitioner has not received payment of Rs. 49,864/- to which he is entitled. It is further submitted that representations have been filed before the Executive Engineer, Building Division, Building Construction Department, Government of Bihar (respondent no. 4) on 23.02.2015 and 11.04.2016



but payment remains outstanding.

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 the consent of the parties this writ petition is disposed of, with a direction to the Executive Engineer, Building Division, Building Construction Department, Government of Bihar (respondent no. 4)) to dispose of the petitioner’s representation dated 11.04.2016 (Anenxure-3) ensuring payment to the extent found due to the petitioner, within a period of six weeks from the date of receipt/production of a copy of this judgment. 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)**

Chandran/BT

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