

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10487 of 2017

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Maa Durga Printers, Club Road, Sri Krishna Nagar, Aurangabad
Through

1. Shiv Prakash Pandey S/o Late Sri Rajendra Pandey
2. Subodh Kumar Pandey S/o Sri Ram Chandra Pandey
Both R/o Vidyut Karyalay Purab Krishna Nagar, Aurangabad, P.S. and Distt. -
Aurangabad. (Partners)

.... Petitioners

Versus

1. The State of Bihar, through the Principal Secretary, Department of Food and Civil Supply, Government of Bihar, Patna.
2. The Bihar State Food and Civil Supplies Corporation Ltd. Through Its Managing Director, Bihar, Patna
3. The Principal Secretary, Department, of Finance, Government of Bihar, Patna.
4. The Managing Director, Bihar State Food & Civil Supplies Corporation Ltd., Bihar, Patna.
5. The District Manger, Bihar State Food and Civil Supplies Corporation, Ltd. (B.S.F.C.), Aurangabad.

.... Respondents

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Appearance :

For the Petitioner : Mr. A.B. Ojha, Sr. Advocate
Mr. Nitesh Kumar
Mr. Anand Vardhan, Advocates
For the Respondents : Mr. Arvind Ujjwal-SC4
Mr. Upendra Pratap Singh, AC to SC 4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 06-03-2018

Heard learned senior 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 all the admitted legitimate dues of the petitioner amounting to Rs. 21,43,638/- for successfully completing the works entrusted to it for videography in



the Godowns of CMR/TPDM within prescribed time for the year 2014 in the district of Aurangabad and also statutory interest on the delayed payment as prescribed under Section 16 of the Micro, Small and Medium Enterprises Development Act, 2006 and/or any other relief including cost of this proceeding.

3. Mr. A.B. Ojha, Learned senior counsel for the petitioner submits that despite having completed the work within time, amount of Rs. 21,43,638/-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 the consent of the parties this writ petition is disposed of, granting liberty to the petitioner to approach the District Manager, Bihar State Food and Civil Supplies Corporation, Ltd., Aurangabad (Respondent No. 5) 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 six weeks from the date of receiving the petitioner's representation, together with statutory interest in terms of Section 16 of the Micro, Small and Medium Enterprises Development Act, 2006 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)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	12.03.2018
Transmission Date	N.A.

