

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6480 of 2018

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M/s Vaishnavi Hospital, A Partnership Firm having its' Office at Maurya Vihar Colony, Transport Nagar, Patna, Bihar, through one of its Partner Shri Prince Kumar Tiwari S/o Late Dhruvdeo Tiwari Resident of Village & P.S.-Darauli, District-Siwan.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Planning and Development Department, Government of Bihar, Patna.
2. The Principal Secretary, Planning and Development Department, Government of Bihar, Patna.
3. The District Magistrate, Saharsa, District-Saharsa.
4. The District Planning Officer, District Planning Office, Saharsa.
5. The Manager, District Registration and Counseling Centre, Saharsa, District - Saharsa.
6. The Assistant Manager, District Registration and Counseling Centre, Saharsa, District-Saharsa.

.... Respondents

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Appearance :

For the Petitioner : Mr. Raj Kishore Prasad, Advocate.
For the Respondents : None

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 12-04-2018

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 an appropriate writ(s), order(s), direction(s) in the nature of writ of mandamus directing the respondents to pay the admitted amount of dues to the tune of Rs. 3,68,700.00 for the work executed by the petitioner for “Cleaning the Wall, Ceiling and Outer portion of Registration & Counseling Centre, Saharsa for a period of about one year” in terms of the agreement dated



29.04.2017 along with reasonable interested thereon.

(ii) For any other relief or reliefs for which the petitioner is found to be entitled in the facts and circumstances of the case.”

2. The present writ petition has been filed for payment of outstanding dues of the petitioner.

3. Learned counsel for the petitioner submits that despite having completed the contract work in respect of Cleaning the Wall, Ceiling and Outer Portion of Registration & Counseling Centre, an amount of Rs. 3,68,700/- remains outstanding for payment.

4. Having regard to the nature of the grievances of the petitioners, this writ petition is disposed of, granting liberty to the petitioner to approach the District Planning Officer, District Planning Office, Saharsa (Respondent No. 4) 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. 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.

5. 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.
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