

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8171 of 2018

=====

Chandan Kumar Singh, aged about 27 Years, son of Sri Anil Kumar Singh, resident of Village & Post- Keshawe, P.S. Barauni Refinery OP, District- Begusarai.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary Rural Works Department, Government of Bihar, Patna.
2. The Engineer-in-Chief, Rural works Department, Government of Bihar, Patna.
3. The Chief Engineer-3, Rural works Department, Government of Bihar, Patna.
4. The Executive Engineer, Rural works Department, Work Division, Balia.
5. The Divisional Railway Manager, East Central Railway, Sonapur.

.... Respondents

=====

Appearance :

For the Petitioner	:	Mr. Ashish Kumar Lal, Advocate.
For the Railways	:	Ms. Kalpana, Advocate.
For the State	:	Mr. Pushkar Narayan Shahi, AAG-6
		Mr. Mritunjay Kumar, AC to AAG 6

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 14-05-2018

Having heard learned counsel for the petitioner as well as 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 his outstanding dues.

3. Learned counsel for the petitioner submits that pursuant to a contract entered into between the respondent, the petitioner completed the work in respect of construction of road, namely, L034-



LO-27 to Sheo Nagar (VR34) package no. BR-04R-184 and LO30-TO1 to Manjhanpur (VR10) package No. BR-04R-185 against which final bill for Rs. 18,98,513/-/- has not been paid.

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, Rural Works Department, Work Division, Balia (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.



B.T/Chandran

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	24.05.2018
Transmission Date	N.A.

