

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1730 of 2017

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Gautam Kumar, S/o Late Hari Shankar Singh, Resident of village/Mohallah -
Sabistabad Rajputana, P.O. Anisabad, P.S. Gardanibag, District - Patna, Bihar

.... Petitioner

Versus

1. The State of Bihar, through the Collector, Patna, Bihar
2. Superintending Engineer, South Bihar Anchal, Building Construction Department, Patna, Bihar
3. The Executive Engineer, Gardanibag Building Sub-Division, Building Construction Department, Patna, Bihar
4. The Junior Engineer, Gardanibag Sub-Division, Building Construction Department, Patna, Bihar

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjay Kumar @ Manu, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 30-04-2018

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 his outstanding
dues.

3. Learned counsel for the petitioner submits that pursuant
to a contract entered into between the respondent-State, the petitioner
completed the repair work to outer surface of M.O. Block No. 5 in Road
No. 6 B at Gardanibagh, Patna for the year 2014-15 for which final bill
for Rs. 1,49,667/- has not been paid.

4. Learned counsel for the respondents appears and has
been heard. No counter affidavit has been filed till date.

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 Sub-Division Gardanibagh, Building Construction Department, Patna, Bihar (respondent no. 3) 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)

B.T/-

AFR/NAFR	NAFR
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