

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10737 of 2016

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Akhilesh Kumar Son of Late Jagdish Prasad, resident of Mitra Mandal Colony,
P.O. Anisabad, P.S. Phulwari Sharif, District Patna, Pin- 800002

.... Petitioner

Versus

1. The Union of India through the Secretry, Ministry of Railways, Government of India, New Delhi.
2. The Chairman, Railway Board, Government of India, Rail Bhawan, Raisina Road, New Delhi- 110001
3. The General Manager, East Central Railway, Hajipur, Dist. Vaishali, Pin Code- 844101
4. The Divisional Railway Manager, East Central Railway, Danapur Division, Danapur, Patna. Pin Code : 801105
5. The Senior Divisional Engineer (3), Office of the Divisional Railway manager, Danapur, Patna. Pin Code : 801105
6. The Senior Divisional Engineer (Coordination), Office of the Divisional Railway Manager, Danapur, Patna. Pin Code : 801105
7. The Senior Divisional Finance Manager, Office of the Divisional Railway Manager, Danapur, Patna. Pin Code : 801105

.... Respondents

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Appearance :

For the Petitioner : Mr. Nagadeo Choubey, Advocate.

For the Respondents : Ms. Nivedita Nirvikar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-01-2018

The present writ petition has been filed for a direction to the respondents to make payment of the admitted dues of Rs. 5,24,039.26 (Rs. 4,46,539.26 against the final bill and Rs. 77,500/- against security deposit) for the completed work of T.S.R. (p), Deep Screening and other ancillary work under Agreement No. 42/Misc./BXR/2001-02 dated 05.09.2003 together with interest.

2. Learned counsel for the petitioner submits that despite completion of the work and submission of bills, an amount of Rs. 4,46,539.26 against the final bill and Rs. 77,500/- against the refund of security deposit has not been paid by the respondents despite representations.

3. Learned counsel for the respondent-Railway appears and files counter affidavit which is placed on record.



4. Having regard to the nature of the prayer of the petitioner, the writ petition is disposed of granting liberty to the petitioner to approach the Divisional Railway Manager, East Central Railway, Danapur Division, Danapur, Patna (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.

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.
Uploading Date	08.01.2018
Transmission Date	N.A.

