

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14795 of 2013

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Jitendra Kumar Rai, Son of Sri Jagdeo Rai, Resident Of Village- Mohanpur, P.O-
Mohanpur, P.S.- Bidupur, District- Vaishali.

.... Petitioner

Versus

1. The State of Bihar.
2. The Secretary, Public Health Engineering Department, Government of Bihar, Patna.
3. The Chief Engineer (Civil), Public Health Engineering Department, Government of Bihar, Patna.
4. The District Magistrate, Samastipur.
5. The Superintendent Engineer, Public Health Engineering Department, Darbhanga Circle, Darbhanga.
6. The Executive Engineer, P.H. Division, Samastipur.
7. The Assistant Engineer, Public Health Sub Division, Dalsinghsarai, District- Samastipur.
8. The Junior Engineer, Patori District Samastipur.
9. The Sub Divisional Officer, Dalsinghsarai, District- Samastipur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Shashi Bhushan Kumar, Advocate

For the Respondents : Mr. Md. Irshad, AC to SC18

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-09-2018

Heard learned counsel for the petitioner as well as learned
counsel for the respondents.

2. The present writ petition has been filed for the following
reliefs –

*“(i) To direct the respondent to pay Rs. 11,07,320/- to the
petitioner with statutory interest which has not been paid
to him against the work of Rs. 43,62,585.33/- without*



assign any reason.

(ii) To grant any other consequential/appropriate relief(s) for which the petitioner may be found entitled to."

3. Learned counsel for the petitioner makes statement at the Bar that payment of Rs. 11,07,320/- has been received in the account of the petitioner on 31.10.2016 after a considerable delay inasmuch as the work in question has already been completed on 28.12.2010. It is therefore submitted that the petitioner is liable to be paid interest.

4. 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, P.H. Division, Samastipur (respondent no. 6) with a fresh representation for redressal of his grievances. If any such representation is filed within a period of three 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)

B.T/Chandran

AFR/NAFR	NAFR
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