

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15765 of 2016

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M/s Ajanta Construction Co. through its authorized representative Dilip Kumar Sharma, Son of Shri Chandradeo Sharma, resident of Village- Achuara, P.S.- Badh, District- Patna.

.... Petitioner

Versus

1. National Building Construction Corporation Ltd. through its Chief General Manager, N.B.C.C. Ltd. Maurya Tower, P.S.- Kotwali, District- Patna.
2. Chief General Manager, N.B.C.C. Ltd. Maurya Tower, P.S. Kotwali District- Patna.
3. The Additional General Manager, Zonal Head, N.B.C.C. Ltd. Maurya Tower, P.S.- Kotwali, District- Patna.
4. The Sr. General Manager, S.B.G Bihar, N.B.C.C. Ltd. Maurya Tower, P.S.- Kotwali, District- Patna.
5. The Deputy Project Manager, N.B.C.C. Ltd. Maurya Tower, P.S.- Kotwali, District- Patna.
6. Project Engineer, N.B.C.C. Ltd. Maurya Tower, P.S.- Kotwali, District- Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Vinay Ranjan,
Ms. Asha Kumari, Advocates
For the Respondents : Dr. Arun Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 03-05-2018

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 its outstanding dues.

3. Learned counsel for the petitioner submits that having done the contractual work pursuant to the agreement dated 29.08.2009 for construction of Kankarbagh Drainage System -



renovation and construction of outfall channel from Bhootnath Road to Pahari pump house, an amount of Rs. 1,16,40,714/- remains outstanding to be paid against the bills of the petitioner.

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 Additional General Manager, Zonal Head, N.B.C.C. Ltd. Maurya Tower, Patna (Respondent No. 3) 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.

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/Chandran

AFR/NAFR	NAFR
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