

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4162 of 2016

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Jainendra Kumar, S/o Ram Nath Paswan, Resident of Village and Post-Nagwan,
P.S.- Naubatpur, District- Patna.

.... Petitioner

Versus

1. The Union of India through the Chairman, Indian Railway Board, New Delhi.
2. The Divisional Railway Manager, Eastern Central Railway, Danapur.
3. The Additional Divisional Railway Manager, Eastern Central Railway, Danapur,
4. The Senior Divisional Finance Manager, Eastern Central Railway, Danapur.
5. The Senior Divisional Engineer (3), Eastern Central Railway, Danapur.
6. The Assistatn Divisional Engineer, Eastern, Central Railway, Buxar.
7. The Senior Section Engineer, Railway, Buxar.
8. The Senior Section Engineer, Railway, Dildarnagar.

.... Respondents

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Appearance :

For the Petitioner : Mr. Rakesh Kumar
Mr. Rikesh Sinha, Advocates.

For the Respondents : Mr. Naresh Dikshit, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 17-04-2018

Heard learned counsel for the petitioner and learned Counsel for the respondents.

2. The present writ petition has been taken up out of turn on the request of learned counsel for the petitioner for disposal of the same with a direction to the respondents to pay the admitted dues of the petitioner.

3. Learned counsel for the petitioner submits that despite having completed the contract work for hiring of truck of P. Way materials under SSE (P. Way) BXR and SSE (P. Way) under ADEM/BXR, the entire amount of Rs. 9,01,151.67 remains outstanding for payment to 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 the consent of the parties this writ petition is disposed of, granting liberty to the petitioner to approach the Additional Divisional Railway Manager, Eastern Central Railway, Danapur (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)

Md. Ibrarul/BT

AFR/NAFR	NAFR
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