

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9212 of 2017

=====

M/s Enarch Consultants Private Limited a Company registered under the Companies Act having its office situated at B - 66, Sector 63 Noida (U.P.) through its Managing Director Rahul Gupta Son of Shri J.P. Gupta, Resident of E - 56, Sector - 41, P.S. Sector - 39, NOIDA District Gautambudh Nagar 201301 (U.P.)

.... Petitioner

Versus

1. The Bihar State Housing Board having its office 6, Sardar Patel Marg, Patna - 800015 through its Managing Director.
2. The Managing Director, Bihar State Housing Board having its office 6, Sardar Patel Marg, Patna - 800015.
3. The Secretary, Bihar State Housing Board, 6, Sardar Patel Marg, Patna - 800015.
4. The Chief Engineer, Bihar State Housing Board, 6, Sardar Patel Marg, Patna - 800015.

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Alok Kumar Agrawal, Advocate.
For the Respondents : Mr. Lalit Kishore, Sr. Advocate.
Ms. Binita Singh, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 23-02-2018

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. The present writ petition has been filed for a direction to the respondent- authorities to pay the outstanding amount of Rs. 1,56,13,539/- for the work executed by the petitioner together with interest thereon.

4. Learned counsel for the petitioner submits that despite having executed the contract work, an amount of Rs. 20,00,000/- has been paid, leaving an amount of Rs. 1,56,13,539/- outstanding for



payment.

5. Learned counsel for the respondents appears and has been heard.

6. Having regard to the nature of the grievances of the petitioner, this writ petition is disposed of, granting liberty to the petitioner to approach the Managing Director, Bihar State Housing Board, Patna (Respondent No. 2) 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.

7. 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	26.02.2018
Transmission Date	N.A.

