

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11688 of 2017

=====

M/s Vikash Construction, A Partnership Firm through its Partner Vishwanath Rai, Son of Late Ramjee Rai, Office at Miyachak, Sanichra Asthan, P.O. + P.S. - Begusarai, District-Begusarai, Bihar.

.... Petitioner

Versus

1. The Bihar Police Building Construction Corporation (P) Ltd. through its Chief Managing Director Kautilya Nagar, Patna-14.
2. The Chief Engineer, the Bihar Police Building Construction Corporation (P) Ltd. Kautilya Nagar, Patna-14.
3. The Executive Engineer, Bhagalpur Division, Bihar Police Building Construction Corporation.

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Yogesh Chandra Verma, Sr. Advocate.

For the Respondents : Mr. Prasoon Sinha, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 28-06-2018

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 for payment of dues outstanding to the petitioner for the work done of soil filling work and transportation of bricks.

3. Mr. Yogesh Chandra Verma, learned Senior counsel appearing for the petitioner submits that despite completing the work in terms of the agreement, only partial payment has been made and considerable amount 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 consent of the parties this writ petition is disposed of, granting liberty to the petitioner to approach the Executive Engineer, Bhagalpur Division, Bihar Police Building construction Corporation (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)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	03.07.2018
Transmission Date	N.A.

