

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14185 of 2017

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Bharat Tent House, Andar Bazar, Aurangabad through its Proprietor Md. Naim
Niazi S/o Late Gulam Ahmad R/o Pathan Toli Chowk, P.S.-Town, Distt.-
Aurangabad.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, to the Government of Bihar in the Department of Panchayati Raj, Bihar, Patna.
2. The Principal Secretary, to the Government of Bihar, in the Department of Panchayati Raj, Bihar, Patna.
3. The Principal Secretary, Department, of Finance, Government of Bihar, Patna.
4. The Collector-Cum-District Election Officer (Panchaayt), Aurangabad.
5. The District Panchayati Raj Officer-cum-Dy. Election Officer (Panchayat).

.... Respondents

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Appearance :

For the Petitioner : Mr. Nitesh Kumar, Advocate.

For the Respondents : Mr. K.P. Gupta, GP-10

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 06-03-2018

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. The present writ petition has been filed for payment
of outstanding dues of the petitioner.

4. Learned counsel for the petitioner submits that
despite having completed the contract work in respect of tent services



(inclusive tent, shamiyana, pandal, chair, table, generator, tube lights, fans, sound system, carpet etc) required for polling and counting for the purpose of Aurangabad Panchayat General Election, 2016, an amount of Rs. 13,93,005/- remains 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 petitioners and with consent of the parties, this writ petition is disposed of, granting liberty to the petitioner to approach the Collector-cum-District Election Officer (Panchayat), Aurangabad (Respondent No. 4) 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 petitioners, within a period of six weeks from the date of receiving the petitioners' representation. Any delay in payment of the admitted amount beyond the stipulated period as stated above, shall entitle the petitioners 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 petitioners' claim is found inadmissible, whether in whole or in part, the petitioners' 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 petitioners.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	09.03.2018
Transmission Date	N.A.

