IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15703 of 2017

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M/s Ajmani Infrastructure and Project Pvt. Ltd. a registered firm and govt. approved Contractor, through its Director Tilak Raj Ajmani son of Late Lala Ishwar Das Ajmani Church Road, Ranchi, P.O. & P.S. - Lower Bazar, District - Ranchi.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Youth Affair, Art, Culture and Sports, Government of Bihar, Patna.
2. The District Magistrate, Vaishali at Hajipur.
3. The District Supply Officer, Vaishali at Hajipur.
4. The Principal Secretary, Department of Youth Affairs, Art, Culture of Sports Government of Bihar, Patna.

.... Respondents

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Appearance :
For the Petitioner : Mr. Tuhin Shankar, Advocate.
For the Respondents : Mr. Gajendra Prasad Yadav, SC- 17

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 23-03-2018

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 in respect of contractual dues arising out of the contract for providing gate, pandal, flower decoration, backdrop, hangar, furniture and fixture, green room, toilet, audio and electrical system etc. during the National Level Youth Festival Organization in Vaishali at Hajipur held on 08th to 10th December, 2016 along with 18% interest thereto from the date of due payment till the date of actual payment as well as the cost of the

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present litigation.

4. Learned counsel for the petitioner invites attention to the letter dated 22.04.2017 (Annexure-6) issued by the District Magistrate, Vaishali at Hajipur to the Principal Secretary, Department of Youth Affair, Art Culture and Sports, Government of Bihar, Patna (respondent no. 1) requesting for funds in order to make payment of dues to various persons including the petitioner. It is therefore submitted that the amount of Rs. 36,91,845/- stands admitted as payable to the petitioner.

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

6. Having regard to the nature of the grievances of the petitioners, this writ petition is disposed of, granting liberty to the petitioner to approach the District Magistrate, Vaishali at Hajipur (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

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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.
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