

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17427 of 2017

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1.Satya Enterprises having its registered office at Land Development Bank Building, Budh Marg, Patna- 800001 through its proprietor Mayank Singh, Son of Mithilesh Kumar Singh, Resident of Shiv Puri Road No. 1A, Ganesh Path, P.O. + P.S.- Shastri Nagar, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Secretary, District Computer Centre Society, Saharsa-cum-District Education Officer, Saharsa.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Brisketu Sharan Pandey, Advocate

For the Respondent/s : Mr. Madhaw Prasad Yadav -GP23

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 26-03-2018

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 and the petitioner sought payment of non-cleared bills/outstanding bills worth Rs. 2,70,000/- due to be paid to the petitioner towards completion of work issued through work order bearing memo no. 717 dated 24.12.2010 under the signature of Secretary, District Computer Centre Society, Saharsa-cum-District Education Officer, Sharsa for purchase of 20KVA Mahindra Silent DG Set-three phase.

3. Learned counsel for the petitioner submits that despite having made supply of DG sets pursuant to work order bearing memo no. 717 dated 24.12.2010 (Annexure-P/1) an amount of Rs. 2,70,000/- remains outstanding for payment. The dues of the petitioner stands admitted in view of proceedings of the meeting dated



18.02.2012(Annexure-P/2).

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 Principal Secretary, Education Department, Government of Bihar, Patna (Respondent No. 2) 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)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
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