

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13558 of 2017

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Binod Kumar Singh, Son of Late Maheshwar Singh, Resident of Village-Basudeopur Chandel, P.S. Mahnar, District- Vaishali.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Building Construction Department, Govt. of Bihar, Patna.
2. The Project Manager, Bihar Medical Service Infrastructure Corporation Limited, 5th Floor, Biscomaun Bhawan, Gandhi Maidan, Patna.
3. The Project Engineer, Bihar Medical Service Infrastructure Corporation Limited, 5th Floor, Biscomaun, Gandhi Maidan, Patna.
4. The Civil Surgeon- cum-Member Secretary, District- Health Society, Vaishali, Hajipur.
5. The District Programme Manager, District Health Society, Vaishali, Hajipur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Md. Anisur Rahman, Advocate
For the Respondents : Mr. Anujit Sinha, Pr. AAG-2
For the Corporation : Mr. Prabhat Kr. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 15-05-2018

Heard learned counsel for the petitioner as well as
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 his outstanding dues.

3. Learned counsel for the petitioner submits that pursuant to agreement no. DPM/F2/40/2012-13 entered into between the respondent-Bihar Medical Services and Infrastructure Corporation



Limited, the petitioner completed the work in question against which final bill for Rs. 1,07,47,120.80 was submitted but a sum of Rs. 55,00,000/- only has been paid.

4. Learned counsel for the respondents appear and have 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 Project Engineer, Bihar Medical Services & Infrastructure Corporation Limited, Biscomaun, Gandhi Maidan, Patna (Respondent No. 3) 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)

B.T/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	22.05.2018
Transmission Date	N.A.

