IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10934 of 2013

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M/S Panchsheel Softwares, (A Unit of Panchsheel Agroils Exports India Pvt. Ltd.), with Camp Office C/o Collector, Patna through its Authorized Signatory Sh. Devendu Jha

.... Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Secretariat, Patna
2. The Commissioner And The Secretary Revenue And Land Reforms Department, Govt. Of Bihar, Patna
3. The Director, Land Records And Measurement, Bihar, Patna
4. The Collector, Patna District, Bihar

.... Respondent/s

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Appearance :
For the Petitioner/s : Mrs. Namrata Mishra, Advocate
For the Respondent/s : Mr. Nagendra Kumar, AC to AAG IX

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT
Date: 01-08-2018

I.A. No. 4556 of 2017

This interlocutory application has been filed for amendment of the prayer portion in the main writ petition by adding the following relief –

(i) *For quashing of letter no. 1233 dated 08.04.2015 issued by the Collector with direction to stop the work completely.*

2. Having regard to the nature of the prayer, the interlocutory application is allowed and learned counsel for the petitioner is permitted to make necessary amendment in the prayer portion of the

writ petition in course of the day.

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3. The main writ petition has been filed for the following reliefs—

(i) *For quashing of Advertisement published in the newspaper "Hindustan" dated 18.05.2013 inviting tender for data entry for the purpose of computerization of land records of Patna District issued by the Collector, Patna.*

(ii) *For a direction to the respondents not to disturb the petitioner-agency from completing the work of computerization of land record allotted to the petitioner vide Agreement dated 24.05.2012.*

(iii) *Further for a direction to the respondents to extend the time period of one year for completing the computerization task of 12321 mauzas allotted to the petitioner-agency vide Agreement dated 24.05.2012, as there is no negligence and laches on the part of the petitioner-agency.*

(iv) *And also for a direction to the respondent no. 4 to revise the rate in the light of letter no. 1928 dated 07.12.2012 as per the Agreement dated 24.05.2012 and also to make payment of the work done by the petitioner-company.*

(v) *For any other appropriate relief/reliefs to which the petitioner is found entitled in the facts and circumstances of the case.*

(vi) *For quashing of letter no. 1233 dated 08.04.2015 issued by the Collector with direction to stop the work completely.*

4. Learned counsel for the petitioner without entering into

the detailed merits of the matter, submits that the present writ petition need not be pressed if a direction is given to the respondents to make payment of the admitted dues for the work already completed by the petitioner and the petitioner is granted liberty to approach the concerned respondent with regard to its claim for payment of any remaining amount under dispute as also against the decision of the respondents to stop the work before its completion. Reference is invited to the office notes dated 29.03.2016 (Annexure-31) according to which it appears that an amount of Rs, 7,41,888/- is said to be payable to the petitioner

5. Learned counsel for the respondents appears and has been heard and has no objection to the stand of the petitioner.

6. Having regard to the nature of the molded relief now sought by the petitioner, with the consent of the parties this writ petition is disposed of, granting liberty to the petitioner to approach the Commissioner and the Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna (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 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. The petitioner shall also be at liberty to file a representation before the respondent no. 2 with regard to any remaining amount claimed as payable as also with regard to stoppage of work of the petitioner before completion.

8. 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
Uploading Date	02.08.2018
Transmission Date	NA