

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21455 of 2013

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M/s Enzzycon Private Ltd. Postal Park, Indira Nagar Patna - 1, Through Its
Director Maheshery Prasad Sinha Son Of Shri Bala Prasad Sinha Resident
Of Jawahar Colony, Road No. 2, Postal Park, P.S. - Kankarbagh, District -
Patna

... .. Petitioner/s

Versus

1. Union Of India Through Registrar General (Census) Govt. Of India,
Ministry Of Home Affairs, 2A , Man Singh Road, New Delhi
2. Deputy Registrar General Of India (Operation), Census Ministry Of Home,
2A, Man Singh Road, New Delhi
3. Director, Census Operation, Bihar State Cooperative Bank Bhawan, Ashok
Raj Path, Patna - 4
4. Joint Director Census Operation, Patna Cooperative Bank, Ashok Raj Path,
Patna- 4
5. Assistant Director, Administration, Census, Bihar State Cooperative
Bhawan, Ashok Raj Path, Patna - 4
6. Assistant Director, Office Head, Census, Bihar State Cooperative Bank
Bhawan, Ashok Raj Path, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s :	Mr. Anil Kumar Mukund, Adv
For the Respondent/s :	Mr. S.D. Sanjay, Addl. S.G
	Mr. Kumar Priya Ranjan, CGC

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 12-12-2018

Heard learned counsel for the petitioner and
learned Counsel for the respondents.

2. The present writ petition has been filed for a
direction to the respondents to pay a sum of Rs. 16,99,575/- with
interest.

3. Learned counsel for the petitioner submits that
despite having completed the work for supply of materials in the



office of the Director of Census Operations, Government of India, pursuant to the work being awarded in terms of tender notice dated 02.08.2011, a substantial amount of Rs. 16,99,575/- remains outstanding for payment along with the security money of Rs. 4,16,000/- as well as an amount of Rs. 99,000/- withheld on account of alleged substandard quality of paper having been supplied.

4. Mr. S.D. Sanjay, learned Additional Solicitor General appears on behalf of the respondent-Union of India. He submits on instruction that as a matter of fact an amount of Rs. 67,00,000/- has already been disbursed to the petitioner, but upon verification, it has been found that some amount has been paid in excess of its legitimate claim and is recoverable from the petitioner.

5. Be that as it may, this Court is of the view that the ends of justice will be served if the petitioner is granted liberty to approach the Director, Census Operation, Bihar State Co-operative Bank Bhawan, Ashok Raj Path, Patna-4 (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)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.12.2018
Transmission Date	NA

