

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.709 of 2018

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I.T. Solution & Supplier Prop Prahalad Kumar, Raja Bazar, Motihari, East Champaran, M/s Prahlad Kumar, Son of Bindeshwari Prasad, Ward No. 16, Near Mukhtar Khana, P.S. Narkatiyaganj, District - West Champaran.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The District Magistrate, Motihari, District - East Champaran, Motihari.
3. The District Registrar-cum-Chairman (Score), East Champaran, Motihari.
4. The Sub Registrar, Chouradano, District - Motihari, East Champaran.
5. The Sub Registrar, Dhaka, District - Motihari, East Champaran.
6. The Sub Registrar, Raxaul, District - Motihari, East Champaran.
7. The Sub Registrar, Areraj, District - Motihari, East Champaran.
8. The Sub Registrar, Kesharia, District - Motihari, East Champaran.
9. The Sub Registrar, Pakari Dayal, District - Motihari, East Champaran.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sharda Nand Mishra, Advocate

For the Respondents : Mr. Mritunjay Kumar, AC to AAG6

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 20-02-2018

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.

3. The present writ petition has been filed for a direction to the respondents to pay the admitted due amount of the contract worth Rs. 6,57,600/-; security amount worth Rs. 1,15,000/- and the deducted amount worth Rs. 17,888/-.



4. Learned counsel for the petitioner submits that pursuant to the contract entered between the respondent, the petitioner supplied the required 10 K.V.A. generators for which partial payment has been made to it but difference amount of Rs. 6,57,600/- has not been paid.

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

6. 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 District Registrar-cum-Chairman (Score), East Champaran, Motihari (Respondent No. 3) 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. 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/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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