

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6826 of 2016

=====

Mahaboudh Jan Swasthaya Evem Sarvangin Vikas Kendra, 103, Ramalaya Apartment, Vijay Nagar, Rukunpura, Patna through its Secretary Dilip Kumar Son of Sri Mohan Sharma, resident of village - Khokhari, P.S. Arwal, District - Arwal

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Planning and Development Department, Government of Bihar, Patna
2. The Development Commissioner, Government of Bihar, Patna
3. The Commissioner, Magadh Division, Gaya
4. The District Magistrate, Arwal
5. The District Planning Officer, Arwal

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Vinay Mistry, Advocate

For the Respondents : Mr. Md. Harun Quareshi, AC to SC 1

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 03-04-2018

Heard learned counsel for the petitioner and 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 its outstanding dues and the petitioner sought for the following reliefs –

“(i) For issuance of a writ in the nature of Mandamus directing the respondents to pay a sum of Rs. 19,13,100.00 along with interest thereon as the Four Months of Cutting and Sewing Programme of 84 Candidates has already been completed by the petitioner in terms of the rider vide Memo No. 1063 dated 9.12.2013 issued by the District Magistrate, Arwal.

(ii) For issuance of such other writ(s), order(s),



direction(s) as your Lordships may deem fit and proper."

3. Learned counsel for the petitioner submits that despite having completed the training imparted to 84 candidates till August, 2014, the petitioner has only been paid the amount of Rs. 1,03,680/- out of total amount of Rs. 19,13,100/- and for which a representation dated 07.03.2016 (Annexure-6) has been filed before the District Magistrate, Arwal which remains pending.

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 consent of the parties, this writ petition is disposed of, granting liberty to the petitioner to approach the District Magistrate, Arwal (Respondent No. 4) 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.

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	04.04.2018
Transmission Date	N.A.

