

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14593 of 2013**

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Krishna Kumar Sharma Son Of Sri Sitaram Sharma Resident Of Village -  
Burma Colony, P.O. Tingachhiya, P.S. Katihar (Town), District - Katihar  
... .. Petitioner

Versus

1. The State Of Bihar
2. The Executive Director, State Health Society, Priwar Kalyan Bhawan,  
Sheikhpura, Patna
3. The Civil Surgeon - Cum - Member Secretary, District Health Society,  
Katihar, District - Katihar
4. The District Programme Manager, District Health Society, Katihar, District -  
Katihar
5. The District Magistrate, Katihar, District - Katihar
6. The District Co - Ordinator, UNICEF, MDM, Katihar, District - Katihar
7. The In Charge Medical Officer, Primary Health Centre, Azam Nagar, Katihar,  
District - Katihar

... .. Respondents

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**Appearance :**

|                          |   |                               |
|--------------------------|---|-------------------------------|
| For the Petitioner       | : | Mr. Raj Bansh Dubey, Advocate |
| For the Respondents      | : | Mr. Neeraj Raj, AC to GA 8    |
| For State Health Society | : | Mr. K.K. Sinha, Advocate      |

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL JUDGMENT**

**Date : 27-11-2018**

The present writ petition has been filed for the following  
reliefs –

*“(i) For issuance of a writ in the nature of mandamus directing/commanding the respondents concerned specially the respondent no. 3 to make the payment of dues amount amounting to Rs. 4,55,490/- for the said amount bill has been submitted vide letter dated 10.4.2011 amounting to Rs. 1,73,628/- and vide bill dated 15.4.2011 amounting to Rs. 2,81,862/- as contained in Annexure 4 and respectively which have not been paid to the petitioner in time after completion of allotted work to his agency.*

*(ii) For further directing and commanding the respondent no. 3 to pay the interest on the amount of Rs. 4,55,490/- @ 12% compound in nature for the delay period and also pay*



*the compensation to the petitioner because the petitioner suffers a lot financially, mentally and physically due to non-payment of said dues amount.*

*(iii) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the petitioner is entitled to in accordance with law.”*

2. At the very outset, learned counsel for the petitioner submits that the respondents have made payment of Rs. 4,46,380/- by cheque no. 868455 drawn on State Bank of India against the claim of dues of Rs. 4,55,490/-. It is submitted however that no grievance remains with regard to payment of dues of the petitioner. It is however submitted that there is considerable delay in making payment of dues against the petitioner's bills dated 10.04.2011 and 15.04.2011 respectively and the petitioner is entitled to interest for such delay.

3. Learned counsel for the respondents appears and submits that the bills of the petitioner were checked and verified after which payment of Rs. 4,46,380/- was duly made to the petitioner.

4. Having heard learned counsel for the parties and on careful consideration of the materials available on record, this Court is of the view that while payment against the petitioner's bill has been made, there is no whisper whatsoever with regard to the petitioner's claim for interest by assigning any reason for delay in making payment by the respondents.

5. In the above view of the matter, the writ petition is disposed of with a direction to the Civil Surgeon-cum-Member



Secretary, District Health Society, Katihar, District Katihar (respondent no. 3) to make payment of simple interest calculated at the rate of 6% per annum on the amount of Rs. 4,46,380/- from the date of 15.04.2011 upto date of payment.

**(Vikash Jain, J)**

BT/Chandran

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