

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15330 of 2016

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Ranvijay Kumar Son of Sri Narsingh Prasad Resident of village - Paijuna, P.S.
Ghoswari, District Patna

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary Department of Water Resources Department, Govt. of Bihar, Patna
2. The Chief Engineer, Flood Control Division, Anisabad, Patna
3. The Superintendent Engineer, Flood Control & Water Discharge Division Biharsharif, District Nalanda
4. The Executive Engineer, Flood Control Division, Bakhtiyarpur, District Patna
5. The Assistant Engineer cum S.D.O. Flood Control Division, Mokama, Camp at Bakhtiyarpur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
Mr. Ram Vinay Pd.Singh (Sanjay), Adv
For the Respondent/s : Mr. HARISH KUMAR- GP8

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 22-02-2018

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. Learned counsel for the petitioner submits that despite numerous representations having been filed before the Executive Engineer, Flood Control Division, Bakhtiyarpur, District Patna (respondent no. 4) the final bill of the petitioner has not been paid and further an amount of Rs. 4,00,000/- has been deducted from the second running bill.



4. A counter affidavit has been filed on behalf of the respondents to oppose the claim of the petitioner.

5. Considering that there is some dispute between the parties with regard to the amount to which the petitioner is entitled, the writ petition is disposed of with the consent of the parties granting liberty to the petitioner to approach the Executive Engineer, Flood Control Division, Bakhtiyarpur, District Patna (respondent no. 4) 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
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