

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11880 of 2016

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1. M/s Sigma Enterprises having its Office at Sankat Mochan Market, Munna Chak, P.S. - Lohianagar, Kankarbagh, District - Patna through its Proprietor Sanjay Kumar.

2. Sanjay Kumar, son of Sri Madanlal, Proprietor of M/S Sigma Enterprises, Sankat Mochan Market, Munna Chak, P.S.- Lohianagar, Kankarbagh, District- Patna.

.... Petitioners

Versus

1. Jai Prakash University through its Vice Chancellor, Saran, Chapra.

2. The Vice Chancellor, Jai Prakash University, Saran, Chapra.

3. The Registrar, Jai Prakash University, Saran, Chapra.

4. The Principal, Rajendra College, Chapra, Saran.

.... Respondents

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Appearance :

For the Petitioners : Mr. Shekhar Singh, Advocate

For the Respondents : Mr. Anjani Kumar, Sr. Advocate

Mr. Nagendra Kr. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-03-2018

Heard learned counsel for the petitioners 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 petitioners for disposal of the same with a direction to the respondents to pay the admitted dues of the petitioners.

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

“(A) For a direction to the respondent no. 4, the Principal, Rajendra College, Chapra to release the outstanding dues of Rs. 24,00,120/- towards the payment of bills submitted on behalf of the petitioners for the work done regarding



renovation of Biology Laboratories and supply of lab equipment in pursuant to the Notice Inviting Tender published by the respondent no. 4 on 14.01.2014 along with interest at the rate of 18% from the due day of payment to the date of its actual release.

(B) For a direction to the respondent no. 4 to pay a penal interest over the aforesaid payable amount at the rate of 24% for the undue delay caused in its payment and for the harassment and financial loss caused due to the said delay.

(C) For any other relief/s to which the petitioners are found entitled to".

4. Learned counsel for the petitioners submits that despite having completed the contract work in question, an amount of Rs. 24,00,120/- remains outstanding to be paid against the bills of the petitioners .

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

6. Having regard to the nature of the grievances of the petitioners and with consent of the parties, this writ petition is disposed of, granting liberty to the petitioners to approach the Principal, Rajendra College, Chapra, Saran (Respondent No. 4) with a fresh representation for redressal of their 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 petitioners, within a period of six weeks from



the date of receiving the petitioners’ representation. Any delay in payment of the admitted amount beyond the stipulated period as stated above, shall entitle the petitioners 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 petitioners’ claim is found inadmissible, whether in whole or in part, the petitioners’ 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
Uploading Date	07.03.2018
Transmission Date	N.A.

