

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3543 of 2018

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Ashok Kr. Choudhary, Son of Late Shyam Narayan Choudhary, Resident of Mohallah Mochaibadi, P.S.- Sahayak, District- Katihar.

.... Petitioner

Versus

1. The Union of India through Director General, Ministry of Road Transport and Surface Department, Pariwahan Bhawan, New Delhi.
2. The Regional Officer, Regional Office, MORTS, Patna.
3. The Principle Secretary, Road Construction Department, Bihar, Patna.
4. The Engineer in Chief, N.H. Wing, Bihar, Patna.
5. The Chief Engineer, NH Wing, Road Construction Department, Bihar, Patna.
6. The Superintending Engineer, Road Construction Department, NH Work Circle, Purnea.
7. The Executive Engineer, Road Construction Department, NH Division, Purnea.

.... Respondents

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Appearance :

- | | | |
|---------------------|---|--|
| For the Petitioner | : | Mr. Vinay Ranjan
Mr. Pradhan Murli Manohar Prasad
Mr. Raju Kumar Goswami, Advocates. |
| For the Respondents | : | Mr. Amit Prakash, GA13
Mr. Anshay Bhadur Mathur, CGC
Mr. Rajeev Shekhar, AC to GA-13 |

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 08-05-2018

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 his outstanding dues.

3. The present writ petition has been filed for payment of outstanding dues of the petitioner worth of Rs. 62,10,436.74 along



with interest.

4. Learned counsel for the petitioner submits that despite having completed the contractual construction work of 2 x21.00m H.L.-R.C.C. work R.C.C. Bridge in Murliganj at Kilometer No. 117 and NH 107 in terms of agreement, as evident from letter dated 24.06.2013 issued by the Executive Engineer, Road Construction Department, NH Division, Purnea (Annexure-2), an amount of Rs. 62,10,436.74 remains outstanding for payment.

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 Executive Engineer, Road Construction Department NH Division, Purnea (Respondent No. 7) 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.

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)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	15.05.2018
Transmission Date	N.A.

