

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7813 of 2018

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Nripendra Kumar Sinha, Son of Late Sarvanand Sinha, Presently working as registered contractor in the Building Construction Department, Government of Bihar, Patna and residing at D/101, People's Co-operative Colony, Kankarbagh, Police Station - Kankarbagh in the town and district of Patna.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Building Construction Department, Government of Bihar, Patna.
3. The Chief Engineer (Electrical), Building Construction Department, Bihar, Patna.
4. The Electrical Superintending Engineer, Electric Works Circle, Building Construction Department, Patna.
5. The Electrical Executive Engineer, Electrical Works Division, Building Construction Department, Bhagalpur.

... Respondents

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Appearance :

For the Petitioner : Mr. Ranjit Kumar Singh

For the Respondents : Mr. Mahendra Prasad Verma, AC to SC-20

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-05-2018

Heard learned counsel for the petitioner as well as 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. Learned counsel for the petitioner submits that pursuant to the agreement entered into between the respondents on 28.05.2017, the petitioner completed the contractual work and



submitted the final bill of Rs. 73,12,818/-, an amount of Rs. 11,23,974/- as against the current bill as well an amount of Rs. 6,49,569/- by way of refund of the security amount. The remaining outstanding due has yet to be paid against the bills of the petitioner.

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 Electrical Executive Engineer, Electrical Works Division, Building Construction Department, Bhagalpur (Respondent No. 5) with a fresh representation for redressal of is 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/Chandran

AFR/NAFR	NAFR
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