

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7215 of 2018

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M/s Coramandal Infrastructure Pvt. Ltd. having its Registered Office at Plot No. 319, 2nd Floor, Ayappa Society, Near YSR Statue, Madhepur, Hyderabad (A.P.) - 500034, through its Director, Dutta Sri Ganesh aged about 44 years Son of Sri Dutta Subbaiah resident of Flat No. 302 Satya Residency, Plot No. 227, Phase - 2, Kalyan Nagar, Ameerpet, Sanjeev Reddy Nagar, Ameerpet, Hyderabad, Andhra Pradesh - 500038.

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Energy Department, New Secretariat, Government of Bihar, Patna.
2. The Principal Secretary, Energy Department, New Secretariat, Government of Bihar, Patna.
3. The Bihar State Hydroelectric Power Corporation Ltd., a Government of Bihar Enterprise through its Managing Director having its office at 2nd Floor, Sone Bhawan, Patna.
4. The Managing Director, Bihar State Hydroelectric Power Corporation Ltd., a Government of Bihar Enterprise having its office at 2nd Floor, Sone Bhawan, Patna.
5. The Chief Engineer (Electrical), Bihar State Hydroelectric Power Corporation Ltd., a Government of Bihar Enterprise having office at 2nd Floor, Sone Bhawan, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjeet Kumar
For the State : Mr. Kinkar Kumar -SC9
For the Corporation : Mr. Anand Kr. Ojha,
Mr. Ashok Kr. Karna , Advocates

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-05-2018

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 its
outstanding dues.

3. Learned counsel for the petitioner submits that its claim



for payment against the work done was examined by the Agency appointed by the respondents, namely, Indian Institute of Technology, Roorkee, which by its letter dated 24.11.2016 found that an amount of Rs. 6,33,97,735/- was admissible for payment to the petitioner against its pending bills for the civil work of Nirmali after adjusting the advance, if any. It is stated that part payment thereof so far has been received by the petitioner.

4. Learned counsel for the respondent-State as well as the respondent-Corporation 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 Managing Director, Bihar State Hydroelectric Power Corporation Ltd., a Government of Bihar Enterprise, 2nd Floor, Sone Bhawan, Patna (Respondent No. 4) with a fresh representation for redressal of its 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
CAV DATE	N.A.
Uploading Date	24 .05.2018
Transmission Date	N.A.

