

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9246 of 2018

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M/s. Ambica Traders, a Proprietorship firm having its office at 3 & 4, Ashoka Place, Exhibition Road, P.S.- Gandhi Maidan Town and District Patna through its Proprietor Prem Chand Srivastava, SoN of Dharm Deo Narayan Lal, Resident of Urmila Sadan, Behind Hotel Apsara, Circular Road Lal Pur, GPO Ranchi, District- Ranchi.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Health and Family Welfare, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Health and Family Welfare, Govt. of Bihar, Patna.
3. The Project Director, Bihar State AIDS Control Society, Govt. of Bihar, Sheikhpura, Patna.
4. The Additional Project Director, Bihar State AIDS Control Society, Govt. of Bihar, Sheikhpura, Patna.
5. The Joint Director-Finance, Bihar State AIDS Control Society, Govt. of Bihar, Sheikhpura, Patna.
6. The In-charge cum Assistant Director- Procurement, Bihar State AIDS Control Society, Sheikhpura, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Gautam Kumar Kejriwal, Advocate.

For the Respondents : Mr. Binod Kr. Yadav, SC-18

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 18-05-2018

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 and the petitioner sought for following reliefs –

“(a) For issuance of a writ in the nature of mandamus directing the respondents to make payment of admitted dues to the tune of Rs. 1,46,034/- (Rupees One Lacs Forty Six thousand and Thirty Four only) to the petitioner which is lying with held in spite of the



petitioner having completed the entire work;

(b) For issuance of a writ in the nature of mandamus directing the respondents to also pay interest by way of damage to the petitioner due to unreasonable and unwarranted withholding of payment from the date it has fallen due till the date of payment;

(c) For grant of any other relief/reliefs to which the petitioner is found entitled to in the facts and circumstances of the case.”

3. The present writ petition has been filed for payment of outstanding dues of the petitioner.

4. Learned counsel for the petitioner submits that despite having completed the contract work in respect of printing and supply of Hoardings and Banners, fixation of Hoardings and Banners, etc. having its Administrative Office at Patna in several Government and private contracts at different places in the State, an amount of Rs. 1,46,034/- 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 Project Director, Bihar State AIDS Control Society, Govt. of Bihar, Sheikhpura, Patna (Respondent No. 3) 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.

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
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