

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11142 of 2018

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M/s Nishka Security and Intelligence Services through Managing Partner M S
Ragini Ranjan, at 25, Rama Niketan, IAS Colony, Kidwaipuri, Patna- 800001.

.... Petitioner

Versus

1. The Patna Municipal Corporation, 2nd Floor, Block-'C', Mauryalok Complex,
Patna through Municipal Commissioner.

2. The Municipal Commissioner, the Patna Municipal Corporation, 2nd Floor,
Block 'C', Mauryalok Complex, Patna- 800001.

.... Respondents

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Appearance :

For the Petitioner : Mr. Shravan Kumar, Sr. Advocate

Mr. Dinesh Maharaj, Advocate

For the Respondents : Mr. Prasoon Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 28-06-2018

Heard learned senior counsel for the petitioner as well
as learned counsel for the respondent-Corporation.

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

*“(i) The impugned decision to cancel the contract as
contained in Annexures 9 & 10 may be quashed.*

*(ii) The impugned decision to cancel the contract
may be stayed.*

*(iii) To direct the Respondents to take steps for
implementation of the programme and discharge its
statutory responsibilities as provided in ‘The
Municipal Solid Wastes (Management and
Handling) Rules, 2000’.*

*(iv) To pay the contracted dues and other dues to the
petitioner.*



(v) To any other relief/reliefs."

3. At the very outset, learned counsel for the petitioner confines the writ petition to the prayer no. 2 (iv) i.e. "to pay the contracted dues and other dues to the petitioner".

4. Learned counsel for the petitioner submits that pursuant to the agreements entered into between respondent-Patna Municipal Corporation for door-to-door collection & transportation of MSW regarding Bankipur and Kankarbagh Circles considerable amounts remain outstanding to be paid against the bills of the petitioner.

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 Municipal Commissioner, Patna Municipal Corporation, 2nd Floor, Block 'C', Mauryalok Complex, Patna (Respondent No. 2) 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)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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