

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6211 of 2020

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M/s Patliputra Enquipments Private Limited, near Didarganj Check Post, N.H. 30, P.O. Chowk, Patna City, Patna-800 001, Bihar, represented through its Managing Director, namely, Ms. Shiwani Raj, Gender Female, D/o Late Kumar Raj Kishore, residing near Beur Jail, Shiv Nagar Colony, P.S. Beur, District-Patna-800002, Bihar.

... .. Petitioner

Versus

1. The Patna Municipal Corporation represented through the Municipal Commissioner, Maurya Lok Complex, Buddha Marg, Bihar, Patna-800 001.
2. The Chief Municipal Engineer, Patna Municipal Corporation, Maurya Lok Complex, Buddha Marg, Bihar, Patna-800 001.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Kumar Ravish, Advocate
For the Respondents : None

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGEMENT

Date: 21-08-2020

Heard Mr. Kumar Ravish, learned counsel for the petitioner via video conferencing.

2. Despite service of notice to the respondent-Patna Municipal Corporation through e-mail, nobody appears on behalf of the respondents.

3. The present writ application has been filed by the petitioner for directing the Patna Municipal Corporation to dispose of the last pending representation dated 03.06.2020 with respondent no.1 seeking release of payment of a sum of Rs.3,53,53,350/- (Rupees Three Crore Fifty-three Lakh Fifty-Three Thousand Three Hundred Fifty) only as the petitioner has



been providing maintenance services/extended warranty of 75 J.C.Bs (Backhoe Loader 3 DX Super) which is engaged in solid waste disposal of Patna under written agreement dated 06.02.2019 as also to pay interest and cost.

4. In view of the nature of claim and the relief prayed for in the present writ application, no useful purpose would be served by keeping the application pending for the appearance of the respondents.

5. The writ petition is disposed of with a direction to the petitioner to file a written representation to the respondent no.1 (Municipal Commissioner, Patna Municipal Corporation) afresh raising therein its claims. In case, such a representation is filed within four weeks from today, the respondent no.1 shall be required to dispose of the same by a speaking and reasoned order within six weeks thereafter.

6. In case, claims of the petitioner are accepted, the respondent-Municipal Commissioner shall also be required to make payment of the due amount to the petitioner without any further delay.

7. In case, any of the claims of the petitioner is rejected, intimation in this regard should also be sent to the petitioner through e-mail and also by registered post on its given



address.

8. Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present judgment:-

- (i) The judgment, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me on my email by the Senior Secretary.
- (ii) The corrected copy of the judgment shall be transmitted by me from my email id to the Senior Secretary, which shall be treated to be an authentic copy of the judgment passed by this Court in the present proceeding.
- (iii) Hard copy of the judgment duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let a copy of the judgment be sent to Mr. Kumar Ravish, learned counsel for the petitioner also on his email.
- (v) Let steps be taken by the Senior Secretary/registry for



up-loading of the present judgment without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.08.2020
Transmission Date	NA

