

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.697 of 2020

Greenpill Renewable Energy, a partnership firm, having its address at C-815, Dev Aurun, Prahalad Nagar Road, Satellite, P.S. Anand Nagar Town and District Ahmedabad (Gujarat) and its principal place of business at Bagaura, P.S. Daraundha, District Siwan through its Partner Shri Vikash Maheshwari, Male, aged about 39 years approx., Son of Shri Haribhai Maheshwari, resident of E-704, Rosewood Estate, Prernatirth Road, Near Prernatirth Derasar, Satellite, P.S. Anand Nagar Town and District-Ahmedabad City-Gujrat.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Tourism Department, Government of Bihar, Old Sachivalay, Patna.
2. The Principal Secretary, Tourism Department, Government of Bihar, Patna.
3. The Bihar State Tourism Development Corporation Ltd. Beerchand Patel Path, Patna, Bihar through its Managing Director BSTDCL, Beerchand Patel Path, Patna.
4. The Managing Director, Bihar State Tourism Development Corporation Ltd., Beerchand Patel Path, Patna.
5. The Chief Engineer, Bihar State Tourism Development Corporation Ltd., Beerchand Patel Path, Patna.
6. The General Manager, Bihar State Tourism Development Corporation Ltd., Beerchand Patel Path, Patna.
7. The Executive Engineer-1, Bihar State Tourism Development Corporation Ltd., Beerchand Patel Path, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Singh
For the Respondent/s : Mr.Durgesh Nandan (Aag14)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-02-2020 Heard learned counsel for the petitioner and the learned counsel for the respondents.

The present writ petition has been filed by the petitioner seeking following reliefs :-

"(i) For issuance of a writ in the nature of mandamus or any other appropriate writ commanding the Respondent authorities to



make payment to the petitioner with regard to bill for Rs. 47,00,000/- against supply and installation of five number of Smart Solar Palm Tree in view of the Request for Proposal (tender) invited by the Bihar State Tourism Development Ltd. For the purpose to accelerate the development and promotion of tourism in the State of Bihar.

(ii) For issuance of a writ in the nature of mandamus or any other appropriate writ commanding the Respondents to make payment on account of admissible interest along with appropriate compensation for losses and cost of litigation as the Respondents have deliberately and intentionally kept the matter of payment of bill pending since a long time about 10 months without having any reason and rhyme and any kind of fault on the part of Petitioner.

(iii) For issuance of a writ in the nature of mandamus or any other appropriate writ commanding the Respondents to give instruction to install remaining 21 number of SSPT after identifying and determining the proper place or spot point where such SSPT is to be installed as mentioned in work order.

(iv) For holding that the aforesaid acts and intention of the Respondent authorities to keep the payment of bill pending is wholly illegal, invalid, unreasonable, arbitrary and malafide."



The learned counsel for the petitioner submits that the petitioner be granted liberty to approach the Managing Director, Bihar State Tourism Development Corporation Ltd., Patna for redressal of his aforesaid grievances and payment of admitted outstanding dues for the work he has done and the material he has supplied.

The learned counsel for the respondents do not have any objection if petitioner is granted liberty to approach the Managing Director, Bihar State Tourism Development Corporation Ltd., Patna and it is further submitted that the Managing Director would definitely dispose of the representation of the petitioner within a stipulated time frame.

Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose of the present writ petition with liberty to the petitioner to approach the Managing Director, Bihar State Tourism Development Corporation Ltd., Patna by filing appropriate representation for payment of the outstanding dues as aforesaid, within a period of eight weeks from today, whereupon the Managing Director, Bihar State Tourism Development Corporation Ltd., Patna shall dispose of the same by a reasoned order in accordance with law, within a period of three months thereafter and in case any admitted dues



are found payable the same shall be paid within a further period of three months therefrom.

It is needless to state that if the aforesaid timeline is not adhered to, the admitted outstanding dues found payable would carry interest @ 9% per annum from the date it became payable.

The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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