

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2834 of 2021

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M/s Speed Kleen Systems a proprietorship firm of Mr. Anjum Wahid Khan,
H.O.D-326, 2nd Floor, Sector 63, Gautam Buddha Nagar, Noida, U.P. India-
201301

... .. Petitioner/s

Versus

1. The State of Bihar represented through the Secretary, Urban Development and Housing Department, Government of Bihar, Patna
2. The Patna Municipal Corporation, represented through the Municipal Commissioner, Maurya Lok Complex, Buddha Marg, Bihar, Patna-800 001
3. The Chief Municipal Engineer, Patna Municipal Corporation, Maurya Lok Complex, Buddha marg, Bihar, Patna 800 001

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Kumar Ravish
For the Respondent/s	:	Mr. Kumar Shiv Kumar (AC to Aag 3)
For PMC	:	Mr. Yash Raj Vardhan

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-03-2021 1. The present writ petition has been filed seeking
the following reliefs :-

(i) To issue a writ of mandamus commanding and directing the Respondents particularly the Patna Municipal Corporation and its officials to pay the pending bill dated 13.10.2018 of this petitioner worth Rs. 89,45,204/- (Rupees Eighty-Nine Lakhs Forty-Five Thousand Two Hundred Four) only which were raised after supplying 400 Units of Garbage Compactor Bins (1100 liters)/ Dustbins to the Corporation all before



11.10.2018.

(ii) To direct for payment of statutory interest as per Section 16 of the Micro, Small and Medium Enterprises Development Act, 2006 from due date till the date of actual payment.

2. The learned counsel for the petitioner, at the outset, submits that the petitioner would be approaching the respondent no. 2 for payment of the outstanding dues pertaining to the supply of Garbage Compactor Bins/ Dustbins to the respondent-Corporation, in pursuance to an agreement dated 12.11.2018 entered into between the petitioner and the Patna Municipal Corporation.

3. The learned counsel appearing for the respondent- Patna Municipal Corporation, Sri Yash Raj Vardhan submits that the respondent-Corporation shall decide the claim of the petitioner and he further submits that the respondent-Corporation, at the moment, is not admitting any portion of the claim of the petitioner.

4. Having regard to the facts and circumstances of the case, the present writ petition stands disposed of as not pressed, however with liberty to the petitioner to approach the respondent no. 2 regarding his aforesaid grievances and in



case, an appropriate representation is filed within a period of two weeks from today, the same shall be considered and disposed of by the respondent no. 2, within a period of six weeks thereafter and then the respondent no. 2 shall ensure payment of the admitted dues in question, to the petitioner, within a further period of six weeks. It is made clear that any delay in payment of the admitted dues beyond the stipulated period, as aforesaid shall entitle the petitioner to receive payment together with Simple Interest @ 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 claim of the petitioner is found inadmissible, whether in whole or in part, the representation of the petitioner shall be disposed of by a reasoned and a speaking order.

It is needless to state that the petitioner shall be precluded from approaching the writ court, henceforth, with regard to the subject matter in issue in the present case, however he shall be at liberty to take recourse to such other remedies as are available under the law.

It is, however made clear that this Court has expressed no opinion on the merits of the claim of the petitioner.



5. The writ petition stands disposed of on the
aforesaid terms.

(Mohit Kumar Shah, J)

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