

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17752 of 2015

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M/s Shekhar Enterprises S/o Sri Tribhuvan Singh, R/o T/556, Housing Colony, Lohia Nagar, P.s. Kankarbagh, District - Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Building Construction Department, Bisheshraiya Bhawan, Bailey Road, Govern
3. The Chief Engineer, Building Construction Department, Bisheshraiya Bhawan, Bailey Road, Government
4. The Electricity Exeuctive Engineer, Electric Work Division No. 2, at present known as electrical Es null null
5. The Assistant Electrical Engineer, Electric Sub - Division, Gaya, Building Construction Department,
6. The Electrial junior Engineer, electric work Division, Building Construction Department, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Jai Prakash Verma, Adv.
For the State	:	Mr. Raghwanand, GA-11

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

3 09-08-2023 The present writ petition is filed for following relief(s):-

"That this is an application for issuance of an appropriate wirt/writs, order/orders, direction/directions in the nature of mandamus for commanding and directing to the respondent authorities to pay to the petitioner dues amount of work contract Rs.1,84,036/- (One lac eighty four thousand and thirty six only) along with interest @ 12% p.a. in respect of work performed by the petitioner i.e. internal Electrical wiring and electrical installation



in newly constructed 500 MT Grain Godown of Bihar State Food & Civil supply Corporation, Ltd. Block-Haspur, Distt-Aurangabad against the agreement no. 32 F2/2014-15 dated 25.11.2014 and further prayer for a direction to the respondents to pay to the petitioner 2nd Bill amount of Rs.1,61,554/-(One lac sixty one thousand five hundred and fifty four only) along with interest @ 12% p.a. in respect to work performed by the petitioner i.e. internal Electrical wiring and electrical installation in newly constructed 500 MT Grain Godown of Bihar State Food & Civil supply Corporation, Ltd. At obra, Distt-Aurangabad in view of work performed by the petitioner on contract as per 2nd Agreement no.33 F2/2014-15 datd 25.11.2014. And for the other necessary relief or reliefs for which the petitioner is entitle to in accordance with law."

In the counter-affidavit filed by the respondent Nos. 3 to 6, para 9 stated that dues of the bill of the petitioner was prepared on 19.12.2014 and sent to the treasury for payment. The cheque was prepared on 15.01.2016 in compliance with the letter of the Principal Secretary, Building Construction Department vide letter no. 27 dated 08.01.2016.

Learned counsel for the petitioner has stated that there is delay of almost two years before the payments made



and for that no interest has been paid to the petitioner.

Learned counsel appearing on behalf of the Respondents has stated that due to some technical issues, there was a delay and that the cheque was prepared after a period of two years from the date of passing of the bill.

Without going into the merits or demerits of the case, having regard to the fact that the entire amount claimed by the petitioner has been paid to the petitioner and only the interest part is remaining, the petitioner is directed to make a representation to the concerned Authority within a period of two weeks from the date of receipt of the copy of this order, ventilating his grievance with regard to the interest of the delay in payment and on such representation being made, the same shall be considered in accordance with law and the authority concerned shall take a decision with regard to the payment of interest. The entire exercise shall be completed within a period of four weeks thereof.

With the above directions, the writ petition is disposed of.

A. Abhishek Reddy , J)

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