

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.827 of 2024

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Sameer Sanyal, Male, aged about 45 years, Son of Shankar Nath Sanyal, resident of Ward No. 26, Bettiah Ganj No. 2, Mitra Chowk, Hospital Road, P.S. Bettiah (Town), District - West Champaran, Proprietor M/s New Global Enterprises, Vaspati Nagar, Kumhrar, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Health Department, Govt. of Bihar, Patna.
2. The Regional Additional Director, Health Department, Government of Bihar, Patna.
3. The District Magistrate-cum-Chairman, District Health Society, Jamui.
4. The Civil Surgeon-cum-Chief Medical Officer-cum-Member Secretary, District Health Society, Jamui.
5. The District Programme Manager (DPM), Jamui.
6. The District Accounts Manager (DAM), Jamui.
7. The Incharge Medical Officer, District Health Society, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rashmi Jha, Advocate.
For the Respondent/s : Mr. Government Pleader 11.

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

4 29-04-2024 Heard learned counsel for the parties.

2. The present Writ Petition has been filed for the following reliefs:-

“....for issuance of appropriate writ or direction or order tot he respondent authorities to make payment of Rs. 3,64,596/- (Three Lakhs Sixty Four Thousand Five Hundred Ninety Six repees only) and Rs. 1,60,000/- (one lakh sixty thousand rupees only) Total Rs. 5,24,596/- (five lakhs twenty four thousand five hundred and ninety six rupees only) for the equipments/articles supplied by the M/s New Global Enterprises, Vaspati Nagar,



Kumhrar, Patna in the year 2019, regarding which M/s New Global Enterprises received order vide letter No. 302 dated 20.03.2019 and letter No. 484 dated 30.03.2019.

Further, a direction may be given to dispose of the application submitted before respondent authority on 08.01.2022 and 18.09.2023 as early as possible and make the aforesaid payment of admitted dues with interest from the year 2019 on the said amount."

3. Learned counsel appearing on behalf of the petitioner has stated that pursuant to the work order issued to the petitioner, the petitioner has supplied the necessary articles and submitted the bills amounting to Rs. 3,64,596/- plus Rs. 1,60,000/- Total Rs. 5,24,596/-. However, the same have not been paid, therefore, left with no other alternate remedy, the petitioner was constrained to approach this Court. The authorities in their supplementary counter affidavit while admitting that the petitioner has supplied the articles amounting to Rs. 5,24,583/- have stated that out of the same Rs. 3,64,583/- has already been paid on 28.03.2024 and the balance amounts will be paid after receiving necessary guidelines from the office of the Executive Director, State Health Society, Patna.

4. It is pertinent to note that the petitioner has supplied the articles in the year 2019 but, however, the authorities for reasons best known to them have paid part of the amount only in the year 2024 and even for the balance amount



of Rs. 1,60,000/- the authorities are still awaiting the guidelines from the office of the Executive Director, State Health Society, Patna. The non-payment of the admitted dues on this ground for years together cannot be constrained by any stretch. The petitioner cannot be subjected to this kind of harassment more so when the articles were supplied in the year 2019 itself.

5. Having regard to the fact that there is no dispute with regard to the bills raised by the petitioner, the authorities are directed to pay the balance amount of Rs. 1,60,000/- within a period of four weeks from today. In case, the authorities fail to pay the balance amount within the above stipulated period, the petitioner shall be entitled to simple interest at the rate of 9% from the date of the supply of the articles till the date of the actual payment.

6. With the above directions, the present writ petition stands **disposed of** to the extent indicated.

(A. Abhishek Reddy, J)

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