
(2021) 07 JH CK 0022

In the Jharkhand High Court

Case No : Writ Petition (C) No. 640 of 2021

O.P. Tulsyan & Co., Ranchi Through Its Partner, Namely, Asim Kumar APPELLANT

Vs

State Of Jharkhand And Others RESPONDENT

Date of Decision : 27-07-2021

Acts Referred:

Citation : (2021) 07 JH CK 0022

Hon'ble Judges : Rajesh Shankar, J

Bench : Single Bench

Advocate : Sunil Kumar Agarwa, Ashish Kumar Thakur, Arvind Kumar Singh

Final Decision : Disposed Of

Judgement

Rajesh Shankar, J

1. The present case is taken up through video conferencing.
2. The present writ petition has been filed for issuance of direction upon the respondents to pay the admitted dues of Rs.10,29,078/- with appropriate interest to the petitioner as its bill is pending for payment since 20.11.2018 for the work of internal audit of different schemes of welfare department (except scholarship) pertaining to the financial years from 2010-11 to 2017-18.
3. The grievance of the petitioner is that it has executed the aforesaid work to the satisfaction of the respondent authorities, however it has been paid only the part amount for the said work. A balance amount of Rs.10,29,078/- is still to be paid to the petitioner for the said work as would be evident from letter no. 69/19-87 dated 20.03.2020 (Annexure-3 to the writ petition). The petitioner has filed several representations before the respondent no.3- The Tribal Welfare Commissioner, Jharkhand Mantralay, Ranchi, copies of

which have been annexed as Annexure-4 series to the writ petition, however no step has been taken by the said respondent for releasing the said admitted amount in favour of the petitioner which has compelled it to prefer the present writ petition.

4. Mr. Ashish Kumar Thakur, learned A.C. to A.A.G.-III appearing on behalf of the respondent nos. 1 to 3 and Mr. Arvind Kumar Singh, learned

counsel for the respondent no. 4, jointly submit that since the claim of the petitioner is required to be factually examined by an appropriate authority, if

the petitioner prefers a fresh representation before the respondent no. 3, an appropriate decision will be taken within a time frame.

5. Having heard the learned counsel for the parties and keeping in view the nature of the prayer made by the petitioner in the present writ petition,

without entering into the merit of its claim, the petitioner is given liberty to prefer a fresh representation before the respondent no. 3. On receipt of the

said representation, the respondent no. 3 after providing due opportunity of hearing to the representative of the petitioner and on calling for the relevant

records (if so required), shall take an appropriate informed decision within one month from the date of filing of the said representation. If the

respondent no. 3 finds that certain amount claimed by the petitioner is admissible, the said admitted amount shall be released in its favour within a

period of three weeks thereafter.

6. The writ petition is disposed of with aforesaid liberty and direction.