

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3664 of 2015

=====

Harishankar Prasad son of Late Sudesh Prasad resident of village-
Jadaichak, P.S.- Meenapur, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Building Construction Department, Bihar, Patna.
2. The Secretary, Building Construction Division, Bihar, Patna.
3. The Chief Engineer, North Bihar (Sub-Division), Bihar, Patna.
4. The Superintending Engineer, Building Circle, Muzaffarpur.
5. The Executive Engineer, Building Division, Muzaffarpur.

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Kailash Nath Diwakar, Advocate
For the State : Mr. Prabhaker Dwivedi, A.C. to S.C.21

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 24-03-2015 Heard learned counsel for the petitioner and the State.

Petitioner claims to be a regular and registered contractor and as such, an agreement vide Annexure-1 had been executed for execution of work of repair of the Administrative Building of Shri Krishna Memorial College and Hospital, Muzaffarpur for the year 2011-12. He further claims that work was completed by him and measurement etc. were taken and total due amount towards the work done by the petitioner comes to a sum of Rs.1,69,160/-. However, it is urged that not even a single penny has been paid to him till date.

In above view of the matter, this writ application is being disposed of granting liberty to the petitioner to approach the

respondent no.3, i.e., the Chief Engineer, North Bihar (Sub-division), Bihar, Patna, who will call for the records and examine the matter and, if admitted dues are found still to be paid to the petitioner, then he will take necessary steps by giving directions to the respondent no.5 or the competent authority to make such payment. The aforesaid exercise leading to payment of admitted unpaid amount should be completed within a period of eight weeks from the date of filing of such representation along with a copy of this order. If the petitioner's claim is not found to be payable then a reasoned order should be passed. This is further made clear that if the dues are found to be admitted but could not be paid within the aforesaid period as per the direction of this Court then the amount concerned will carry simple interest at the rate of 10% per annum to be calculated from the date it became due till its final payment.

(Dr. Ravi Ranjan, J)

N.H./-

U			
---	--	--	--