

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5695 of 2015

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1. Subhas Kumar Paswan S/O- Sri Ram Das Paswan R/O. Village- Doffarpur, Via Manjhaul, P.S.- Naukothi, District- Begusarai currently Incharge of Headmaster, Primary School Vrindavan, Nauwakothi, Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar through the Director Primary Education, Government of Bihar.
2. The Director, Primary Education, Govt. of Bihar.
3. The District Programme Officer, Begusarai.
4. The District Education Officer, Begusarai.
5. The District Programme Officer, Shiksha Pariyojna, Begusarai.
6. Assiatant Engineer, Sarva Shiksha Abhiyan, Begusarai.
7. Ranjit, Junior Engineer- cum- Technical Supervisor, Sarva Shiksha Abhiyan, Begusarai.
8. Block Education Officer, Naukothi, Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Equbal Ahmad

For the Respondent/s : Mr. ABBAS HAIDER- SC16

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 15-05-2015

The nature of the dispute being such, there cannot be any adjudication in a summary proceeding like Article 226 of the Constitution of India. The Court has no mechanism to make an assessment with regard to the quality of the work, the nature of the work, the expenses so done etc. etc. These are matters of actual physical verification on the ground as well as what is reflected from the measurement book and other sundry evidences.

The Court has done its best by issuing a direction in the previous writ application but the final nitty-gritty of calculation cannot be gone into.

However, it is open to the petitioner to take any other steps before an appropriate forum with regard to Annexure-6 including may be a declaration by

moving a civil court of competent jurisdiction where original documentary evidence can be taken.

Writ application is disposed of with above liberty.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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