

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22508 of 2014

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Dinesh Pandey S/o Late Hari Shankar Pandey Resident of Village Madhaul,
P.O. Susta Madhopur, P.S. Turki (O.P.), District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Urban Development, Government of Bihar, Patna.
2. The Chief Engineer, Department of Urban Development, Government of Bihar, Patna.
3. The Superintendent Engineer, Department of Urban Development, Government of Bihar, Patna.
4. The District Magistrate, Muzaffarpur.
5. The In charge Senior Deputy Collector, District Urban Development Section / Branch, Muzaffarpur.
6. The Executive Engineer, District Urban Development Agency, Muzaffarpur.
7. The Divisional Manager, Bihar State Road Transport Corporation, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suman Kumar
For the Respondent/s : Mr. Sc12- Prabhat Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 13-07-2015 Heard the parties.

A counter affidavit on behalf of respondent nos. 4 to 6
has been filed.

Considering the grievance of the petitioner and the facts
emerging from the records, the parties have agreed for disposal of
the matter.

The petitioner was assigned certain contract work under
the agreement no. 25F2/10-11 (Annexure-1). The total value of the
work was Rs.46, 87,180/-. On completion of the work, the
petitioner claims to have submitted the bills which, on verification
from the measurement book, was found admissible to Rs.

46,82,579/- out of which Rs.34,40,340/- was paid and the outstanding amount is Rs. 12,39,539/- which the petitioner is entitled to be paid. For payment thereof the present writ application has been filed.

Let the petitioner file a representation raising the aforesaid claim before the Chief Engineer, Department of Urban Development, Govt. of Bihar, Patna within four weeks along with the papers in his possession. Once such a representation is filed together with a copy of the present order, the respondent Chief Engineer will examine the claim of the petitioner in the light of the relevant records/documents and take appropriate decision thereon as quickly as possible preferably within two months thereafter. In case the Chief Engineer, on verification, finds the dues admissible he shall authorize the same in favour of the petitioner within one month thereafter failing which the petitioner shall be entitled to payment of litigation cost of Rs. 25000/- in addition to the legal dues.

With the aforesaid direction/observation, the writ application is disposed of.

(Kishore Kumar Mandal, J)

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