

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.661 of 2015

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1. M/s Ashique Hussain & Sons Tent & Pandal Contractor near post office, Dighwara, Saran, proprietor Md. Aslam Son of Ashique Hussain, Resident of Village - Hemantpur, Dighwara, P.O. - Dighwara, District - Saran.

.... Petitioner/s

Versus

1. The General Manager East Central Railway Hajipur (Vaishali).
2. The Deputy Chief Engineer Officer, Rail Division, Danapur, Patna.
3. The D.N.A. officer, Rail Division Danapur, Patna.
4. The Chief Administrative Officer (Construction) East Central Railway, mahendru Ghat, Patna.
5. The Deputy Chief Engineer, East Central Railway, Kodarma.
6. The Deputy Chief Engineer, East Central Railway Mugalsarai.
7. Sri Atul Kumar, the then the Deputy Chief Engineer (Construction) East Central Railway Danapur.
8. Sri Atul Kumar, the then Deputy Chief Engineer Bridge, Design, East Central Railway, Hajipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar-1

For the Respondent/s : Mr. Mahesh Prasad

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 14-07-2015 Petitioner has filed the present writ application with the following prayer:-

“1. That this is an application for issuance of an appropriate writ of mandamus in nature of commanding upon the respondents authority for the payment of Rs. 93,248/- (Ninety three thousand two hundred and forty eight only) amount with interest at the rate of 12 % per annum from the date of bill of complete work till his payment and etc. work on three station's point Dighwara, Baragopal and Goldenganj at double Railway of Chhapra Rail Line on the basis of order of Respondent No. 2 in the year 2006 but no payment of the petitioner has been paid as yet.”

Counsel for the Railways submits that counter affidavit

has been filed after service wherein the respondents have completely denied of having offered any work under any agreement to the petitioner which was/were discharged. Paragraph 4 of the counter affidavit completely denies the claim of the petitioner.

In view of the aforesaid, the writ application merits to be dismissed. It is, accordingly, dismissed.

(Kishore Kumar Mandal, J)

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