

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21288 of 2014

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1. Shailesh Kumar Srivastava Son of Late Vindeshwari Prasad Resident of Mohalla- New Chandmari , Police Station - Town Motihari, District- East Champaran.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Urban Development, Department, Bihar, Patna.
2. The District Magistrate, East Champaran, Motihari.
3. The Executive Officer, Nagar Panchayat, Mehshi, District - East Champaran.
4. The Executive Engineer, District- Urban Development Authority, Motihari, East Champaran.
5. The Assistant Engineer, District Urban Development Authority, Motihari, East Champaran.
6. The Junior Engineer , Nagar Panchayat, Mehshi, East Champaran.

.... Respondents

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Appearance :

For the Petitioner : Mr. Kameshwar Kumar
For the Respondents : Mr.Pandey S. Sahay SC-31

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 13-07-2015 Heard learned counsel for the petitioner and the respondent appearing for the Nagar Panchayat, Mehshi and its officials.

Two sets of counter affidavits each on behalf of the respondent no. 3 and respondent nos. 2,4,5 and 6 have been filed .

The writ application has been filed with a grievance that certain construction work of PCC road and cover drain under Nagar Panchayat Mehshi was carried out by the petitioner in the

year 2011. The bills were submitted for payment. Only part payment was made. The remaining dues with the respondent Nagar Panchayat have not till date been paid.

In the counter affidavit, it has been stated that work was assigned to the petitioner and after completing the work bills were submitted. During the progress of the work a sum of Rs. 3,50,356.00/- was paid as first on account bill as advance. After completion of work over all measurement of the work was made and verifying those entries from the measurement Book (M.B.) 2nd on account bill was cleared amounting to Rs. 3,80,643.00/- .After deducting the advance amount in the sum of 3,50,356.00/-, the rest amount in the sum of Rs. 30,287.00/- has been paid to the petitioner through the account payee cheque.

In view of the above facts, it appears to this Court that the dues which the respondents have been admitted on verification of the work and the relevant entries have already been paid/authorized. If the petitioner disputes the same, it is for him to approach the competent court of civil jurisdiction for the relief(s).

The writ application is disposed of.

(Kishore Kumar Mandal, J)

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