

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15982 of 2015

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1. M/s S & P Infrastructure Development Pvt. Ltd. a registered Company having its registered office at No. 07, New Delhi House 27, Barkhamba Road, New Delhi - 110001 through its Authorized representative Sri Shatrudhan Mishra S/o Late Mr. Ambika Mishra resident of House No. 29, Village Bhuhulwa Deeh, Post Jharmahui, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Road Construction, Govt. of Bihar, Patna

2. The Engineer in Chief, Department of Road Construction, Govt. of Bihar, Patna

3. The Chief Engineer, Department of Road Construction (NH Wing), Bihar, Patna

4. The Superintending Engineer, Department of Road Construction (NH Wing), Bhagalpur

5. The Executive Engineer, Department of Road Construction, N.H. Division, Bhagalpur

6. The Assistant Engineer, Department of Road Construction, N.H. Division, Bhagalpur

7. The Junior Engineer, Department of Road Construction, N.H. Division, Bhagalpur

8. The Union of India through the Regional Officer, Ministry of Road Transport and Highways, Govt. of India, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal, Adv.

For the Respondent/s : Mr. S.K. Sharma, G.A. 1

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 16-10-2015 Heard learned counsel for the parties.

The writ petition has been filed seeking following directions to the authorities of the Road Construction Department:

(a) To make payment of the admitted dues;

(b) To dispose of his application dated 11.5.2015 seeking extension of time for completion of the contract work; and

(c) To prepare the final bill in accordance with the terms of

agreement.

Mr. Gautam Kumar Kejriwal, learned counsel for the petitioner with reference to a representation present at Annexure-5 submits that the attention of the Executive Engineer was drawn towards pending bills as well as towards submission of the final bill on 1.7.2015 but has not borne any result. He submits that the application for time extension was filed on 11.5.2015, a copy of which is present at Annexure-2 which is also pending before the Executive Engineer concerned.

Having heard learned counsel for the parties and considering the nature of grievance, the writ petition is disposed of with the direction to the Executive Engineer, Road Construction Department, N.H. Division, Bhagalpur to consider the grievance of the petitioner as set out hereinabove and dispose of the same expeditiously and preferably within 3 months from the date of receipt/production of a copy of the order. It goes without saying that such of the dues so claimed by the petitioner which is found admitted should be paid to him within the said period and such of the dues which are found disputed should be disposed of by a speaking order.

(Jyoti Saran, J)

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