

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19987 of 2012

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Kartik Prasad Yadav S/O Late Sahdeo Yadav R/O Village- Pokharia, Police
Station- Balia, District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Begusarai
3. The Deputy Development Commissioner, Begusarai
4. The Block Development Officer, Bakhari
5. The Public Information Officer-Cum-Director Account Administration & Self
Employment, District Rural Development Agency, Begusarai
6. The Principal Secretary Water Resources Minor Irrigation Department, Bihar,
Patna
7. The Commissioner, Water Resources Minor Irrigation Department, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. SANJAY PRASAD ADVOCATE

For the Respondent/s : Mr. ANIL KUMAR, AC TO SC 10
Mr. SANJAY KUMAR, AC TO SC 10

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 13-10-2015

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present writ petition has been filed for a
direction to the respondents to make payment of admitted
dues amounting to Rs. 2,27,019/- to the petitioner towards
work done by way of sinking boring in the respective selected
land of the beneficiary farmers in the year 1990-93 in Bakhari
Block, Begusarai together with appropriate interest thereon.



3. The short submission of the petitioner is that despite completion of the work more than two decades ago, the payment of the dues has not been made to the petitioner. It is stated that the amount in question is lying in civil deposit, but payment is being delayed in the absence of allotment being made by the higher authorities. It is further submitted that the case of the petitioner is squarely covered by the terms of the order passed in LPA No. 1127 of 2010 and analogous cases as also by the order of a coordinate Bench passed in CWJC No.3808 of 2015 passed in similar circumstances.

4. A counter affidavit has been filed on behalf of the respondent Nos. 2 and 4, para 8 whereof discloses that the payment claimed by the petitioner is not in dispute, but the same could not be made owing to the Minor Irrigation Department not releasing the funds. It is further submitted that the said respondents have repeatedly written letters to the higher authorities for releasing the funds for making payment to the petitioner.

5. Having heard learned counsel for the parties and on consideration of the materials on record, this Court directs that the respondent no. 6 shall ensure that the admitted dues of the petitioner amounting to Rs. 2,27,019/- are paid to the

petitioner together with simple interest calculated @ 9% per annum thereon from the date the payment became due till the date of its actual payment, within a period of three months from the date of receipt/production of a copy of this judgment.

6. The writ petition stands disposed of.

(Vikash Jain, J)

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