

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2069 of 2015

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Ravindra Kumar Son of Late Raj Nandan Singh, Resident of Village -
Dhanwara, Post Office - Tehwara, Police Station - Katra, District -
Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Secretary, Building Construction Department, Bihar, Patna.
3. The Commissioner, Muzaffarpur.
4. The Chief Engineer, Building Division North Bihar, Patna.
5. The District Magistrate, Muzaffarpur.
6. The Executive Engineer, Building Division, Muzaffarpur.
7. The Assistant Engineer, Building Division, Muzaffarpur.
8. The Junior Engineer, Building Division, Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner : M/s. Pancham Lal Jaiswal and
Raju Goshwami, Advocates

For the Respondents : M/s. Rajiv Roy, G.P.5 and
Arun Kumar, A.C. to G.P.5

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 12-02-2015

Petitioner claims that he got a contract for barricading work etc. on the eve of Chief Minister's visit at Muzaffarpur. He claims that he has completed the work as per the work order and contract but admitted amount of Rs.60,814/- is not being paid on the pretext of non-allotment of fund which would be apparent from Annexure-3 which is a letter dated 13.3.2013 written by the Executive Engineer, Building Division, Muzaffarpur to the Secretary, Building Construction Department, Bihar, Patna.

It is well settled that if, after proper sanction, work was

given and the same has been completed up to the satisfaction of officials then the amount as per the contract has to be paid to the Contractor and non-allotment of fund cannot be an excuse for keeping its bills pending for time immemorial.

In above view of the matter, this writ application is being disposed of with a liberty to the petitioner to approach the Secretary, Building Construction Department, Bihar, Patna (respondent no.2) by filing a representation along with a copy of this order. In such case, he should take a decision in accordance with law within a period of four weeks. In case it is found that admitted dues have not been paid to the petitioner then that should be paid within further period of eight weeks. The non payment of admitted dues within the aforesaid period would carry simple interest at the rate of 12% per annum to be calculated from the date it became due till the date of payment.

(Dr. Ravi Ranjan, J)

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