

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4096 of 2015

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Ranvijay Kumar, Son of Sri Indradeo Singh, Resident of village- Maulana Budhi Chak, P.S. - Parsa, Bazar, P.O.- Nisarpura, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Principal Secretary, Building Construction Department, Government of Bihar, Patna.
3. Superintending Engineer, Building Circle, Patna, Building Construction Department, Patna.
4. Executive Engineer, Patna City, Building Division, Gulzarbagh, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Arvind Kumar Pandey, Advocate
For the State : M/s. Ashok Kumar Choudhary, AAG 13 and
Anil Kumar Tiwary, A.C. to AAG 13

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 13-04-2015 I have heard learned counsel for the petitioner and the State.

Petitioner's grievance is that a cheque was issued for a sum of Rs.1,08,849/- but due to link failure the cheque could not be encashed, which would be apparent from Annexure-1, which is a letter written by the Executive Engineer, Patna City Building Division, Gulzarbagh to the Principal Secretary, Building Construction Department, Bihar, Patna. However, nothing has happened till date and final payment has been made.

Though learned counsel for the petitioner is not able to explain as to under what condition the cheque could not be re-

tendered as the instrument concerned ordinarily remains valid for three months, however, in view of the fact that if the dues are admitted then that has to be paid to the concerned Contractor, this Court is inclined to dispose of this writ application granting liberty to the petitioner to approach the Principal Secretary, Building Construction Department by filing a detailed representation in this regard along with a copy of this order. If such representation is filed, let the Principal Secretary examine the matter and take a decision on its own merit and in accordance with law regarding the payment of admitted dues, if any, to the petitioner within a period of six weeks from the date of its filing.

(Dr. Ravi Ranjan, J)

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