

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.840 of 2015

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Rabindra Kumar Singh son of Late Baijnath Singh, resident of Village-
Sedhan, Police Station- Tarari, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Building Construction Department, Bihar, Patna.
2. The Superintending Engineer, Building Circle, Sasaram, Rohtas.
3. The Executive Engineer, Building Division, Sasaram, Rohtas.
4. The Assistant Engineer, Building Division, Sasaram, Rohtas.
5. The Sub- Divisional Officer, Building Sub- Division, Sasaram, Rohtas.
6. The Junior Engineer, Building Construction Department, Sasaram, Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Respondent/s : Mr. Gp31- Smt. Binita Singh

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 03-08-2015 Heard learned counsel for the petitioner and the State.

2. The present writ petition has been filed for a writ of mandamus directing the respondents for making payment of the petitioner's bill amounting to Rs. 1,48,297/- remaining unpaid after a considerable lapse of time, together with compound interest thereon with compensation and litigation cost.

3. It appears that a work order was issued in favour of the petitioner by notification of a tender invitation notice for construction of Health Sub-Centre at Udaiur, Bikramganj which was duly completed by him as per contract. However,

despite the completion of the works to the satisfaction of the respondents, the amount of bill of Rs. 1,48,297/- was not paid to the petitioner for which he approached the concerned authorities.

4. A counter affidavit is filed on behalf of the Respondent Nos. 1 to 6, stating that the petitioner has already been paid Rs. 2,40,000/- against the project as the first instalment and as regards the amount of Rs. 1,48,297/- is concerned the same is pending for want of allotment of fund by the District Administration, Rohtas for which District Magistrate, Sasaram (Rohtas) has been requested to release the fund.

5. It would appear that the prayer of the writ petitioner involves a mere money claim for which there is adequate statutory remedy provided under the law.

6. As such, the present writ petition is disposed of with liberty to the petitioner to approach the appropriate forum/ authorities for pressing his claim in this regard.

(Vikash Jain, J)

Md. Ibrarul/-

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