

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1682 of 2009

=====

Dhananjay Prasad Mandal, son of late Jamuna Prasad Mandal, resident of village/ Mohalla C.C. Mukherjee Road, Adampur, P.S. Adampur, District Bhagalpur

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Water Resources, Bihar at Patna
2. The Engineer in Chief, Department of Water Resources, Bihar Patna
3. The Chief Engineer, Water Resources Department, Bhagalpur
4. The Superintending Engineer, Irrigation Circle, Bhagalpur
5. The Executive Engineer, Irrigation Division, Bhagalpur

.... Respondents

=====

Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. (Ga10)

=====

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 09-01-2015 No one appears for the petitioner. Learned counsel for the State is present.

The prayer of the petitioner in this writ application reads as follows:

“That the present writ application is for issuance of an appropriate writ, order or direction, directing to the respondents concern to pay Rs. 4.5403 lacs against the contractual work performed by the petitioner by the order of the respondents, where the dues amount is admitted but in spite of that the same has not been paid even after a lapse of about 2 years. So the respondents may further be directed to pay interest on the said amount.”

Let it be noted that when this writ application was taken up for the first time after its being filed on 2.2.2009 this Court by

an order dated 3.2.2009 had directed payment of the admitted dues of the petitioner within a period of four weeks. The respondents having filed the counter affidavit have explained that the payment has already been made to the petitioner on 19.3.2009. There is no denial to this fact stated in the counter affidavit though a copy of the counter affidavit was served on the learned counsel for the petitioner on 7.4.2009. It is obvious that after the petitioner has already received full payment the only relief prayed in this writ application, neither the learned counsel for the petitioner nor the petitioner has been left with any interest.

That being so, this application has become infructuous and is dismissed accordingly.

(Mihir Kumar Jha, J)

surendra/-

U			
---	--	--	--