

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22503 of 2014

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Shashi Bhushan Sharma Son of Late Vivekanand Sharma Resident of
Village - Kamalpura, P.O.- Kamalpura, P.S.- Paru, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Urban Development, Government of Bihar, Patna
2. The Chief Engineer, Department of Urban Development, Government of Bihar, Patna
3. The Superintendent Engineer, Department of Urban Development, Government of Bihar, Patna
4. The District Magistrate, Muzaffarpur
5. The Incharge, Senior Deputy Collector, District Urban Development Section/ Branch Muzaffarpur
6. The Executive Engineer, District Urban Development Agency, Muzaffarpur
7. The Divisional Manager, Bihar State Road Transport Corporation, Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suman Kumar
For the Respondent/s : Mr. P.K. Verma

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 13-07-2015 Heard the parties.

In spite of indulgence granted no counter affidavit has been filed on the behalf of the respondent authority of the Urban Development Department or the district administration.

Considering the grievance of the petitioner and the fact emerging from the records, the parties have agreed for disposal of the matter.

The petitioner was assigned contract work under the agreement no. 24F2/10-11 (Annexure-1). The total value of the work was Rs. 6,27,592/-. On completion of the work, the petitioner claims to have submitted the bills which, on

verification from the measurement book, was found admissible only upto Rs. 6, 22,311/- out of which a sum of Rs. 4, 54,000/- has already been paid. In other words, a sum of Rs. 1, 68,311/- is outstanding dues of the petitioner which could not be paid. For payment thereof the present writ application has been filed.

Let the petitioner file a representation raising the aforesaid claim before the Chief Engineer, Department of Urban Development, Govt. of Bihar, Patna within four weeks along with the papers in his possession. Once such a representation is filed together with a copy of the present order, the respondent Chief Engineer will examine the claim of the petitioner in the light of the relevant records including the documents placed at page 22 of the brief and take appropriate decision thereon as quickly as possible preferably within two months thereafter. In case the Chief Engineer, on verification, finds the dues admissible he shall authorize the same in favour of the petitioner within one month thereafter failing which the petitioner shall be entitled to payment of cost in the sum of Rs. 15000/- in addition to the dues which ultimately is/are found due and admissible to the petitioner.

With the aforesaid direction/observation the writ application is disposed of.

(Kishore Kumar Mandal, J)

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