

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1325 of 2013

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Ramanand Dubey, son of Sri Baijnath Dubey, resident of Village- Alipur,
Post- Dhavpokhar, P.S.- Sonhan, District- Kaimur at Bhabhua.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Kaimur at Bhabhua.
3. The Executive Engineer, Building Construction Department, Bhawan
Pramandal, Bhabhua.
4. The Assistant Engineer, Building Construction Department, Bhawan
Pramandal, Bhabhua.
5. The Junior Engineer, Bhawan Pramandal, Bhabhua.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Respondent/s : Mr. Neeraj Nandan, GP-20

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

7 23-11-2015 Heard Mr. Rajni Kant Pandey, learned counsel

appearing on behalf of the petitioner and Mr. Manoj Kumar,

AC to S.C. 30 for the State.

The limited relief prayed for by the petitioner is
regarding non-payment of the dues amount for the work
discharged by him under Agreement No.10 of 2006-07 which,
according to the petitioner, is to the tune of Rs.1,56,509/-.

Mr. Pandey, learned counsel appearing for the
petitioner with reference to the agreement entered in between
the petitioner and the Bihar Public Works Department submits
that the petitioner was allotted work for construction of Health
Sub-centre at Piya under Bhabhua block in the district of



Kaimur under Rashtriya Sam Vikas Yojana and although works stands completed but only part payment has been made. The details of payment made to the petitioner has been discussed at paragraph 9 of the writ petition and according to the petitioner although he has done work for the value of Rs.3,18,882/- and extra work for the value of Rs.86,650/- but he is yet to receive the balance due amount of Rs.1,56,509/-. It is stated that a representation was addressed to the Executive Engineer, Building Division, Bhabhua for payment of the pending dues but has not been disposed of as yet.

Having heard learned counsel for the parties and considering the nature of grievance raised herein, the writ petition is disposed of with liberty to the petitioner to file a comprehensive representation before the Executive Engineer, Building Division, Bhabhua with supportive documents and raise his claim before him. It goes without saying that any such claim being raised by the petitioner would be considered and disposed of by the Executive Engineer, Building Division, Bhabhua in accordance with law and after giving an opportunity of hearing to the petitioner within a period of three months from the date of filing of such representation and if the petitioner is found entitled to payment for any additional

work, that should be paid to him within four weeks thereafter.
However, such claim of the petitioner not found admissible
should be disposed of by a speaking order to be passed within
the period stipulated hereinabove.

(Jyoti Saran, J)

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