

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.890 of 2014

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Birendra Kumar Son Of Late Janardan Prasad Yadav Resident Of Madhepura Ward
No. 17, P.S. + District - Madhepura

.... Petitioner

Versus

1. The State Of Bihar
2. Princiapl Secretary, Road Construction Department Government Of Bihar,
Bishwesharaiya Bhawan, New Secretariat, Bailey Road, Patna
3. The Chief Engineer, N.H. (Wing) Road Construction Department, Bihar, Patna
4. The Superintending Engineer, Road Construction Department, Purnea (Bihar)
5. Executive Engineer, National Highway Division, Madhepura

.... Respondents

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Appearance :

For the Petitioner : M/s Dinesh Prasad Verma &
Rana Pratap Singh, Advocates

For the State : Mr. Chandra Shekhar Singh, AC to GP 16

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 06-02-2015

Heard learned counsel for the petitioner and the State.

Petitioner claims that in view of the tender allotted to the petitioner on 12.9.2006 and, thereafter, agreement with the Executive Engineer, Road Construction Department, Madhepura vide agreement no. 3 F2 2006-07 for urgent repair of road and paths Nos. 46 to 49 of National Highway 106, he executed and completed the work within the time schedule. Measurement book was prepared by the respondents and the respondent no. 5 prepared a bill of Rs. 4,94,637 vide Annexure 2. However, all the admitted dues have not been paid till date. Authorities have paid Rs. 2,80,000/- but Rs. 2,14,637 is still

due. Petitioner claims to have filed several representations before the respondent.

In the aforesaid background, since limited issue has been raised in this application, the same is being disposed of with liberty granted to the petitioner to approach the Chief Engineer, N.H. (Wing) Road Construction Department, Bihar (respondent no. 3). On such representation having been made along with a copy of this order, let the respondent no. 3 examine the matter and if he finds that admitted dues have not been paid to the petitioner then he would take steps for immediate payment of the same along with statutory interest, if any. The entire exercise should be completed within a period of three months from the date of filing of such representation by the petitioner.

With the aforesaid observation and direction, this writ application stands disposed of.

(Dr. Ravi Ranjan, J)

Spd/-

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