

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7041 of 2009

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Dev Narayan Rai, son of Hari Charan Rai, resident of Village Makdumpur
Bijaiya, Post Office Manda, P.S. Mansurchak, Dist. Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Secondary-cum-Commissioner, Rural Development Department,
Government of Bihar, Patna.
3. District Magistrate, Begusarai.
4. District Development Commissioner, Begusarai.
5. The Sub-Divisional Officer, Teghra, Begusarai.
6. The Block Development Officer, Mansoorchak, Dist. Begusarai.
7. Sri Ravind Nath Tiwari, Panchayat Sachiv, Gram Panchayat Samasa 2,
Block Mansurchak, Dist. Begusarai.
8. The Executive Engineer, National Rural Employment Programme,
Begusarai.
9. The Assistant Engineer, National Rural Employment Programme,
Begusarai.
10. The Unior Engineer, National Rural Employment Programme,
Mansurchak, Dist. Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Shri Rakesh Kr. (GA9)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 27-01-2015

No one appears for the petitioner.

The prayer of the petitioner in this writ application,
relevant portion whereof reads as follows:-

"1. ----- commanding the respondents to take a
final decision after verifying the work done by te
petitioner along with completion of the
documentation relating to workdone i.e. updating
entries in M.V. Book, etc. whereafter to make
payment of balance out-standing dues with interest
without any further delay against the admitted fact
that renovation work done by the petitioner of
Tailiyami Pokha (Teliya Pokhar) of village

Makdumpur situated near Tear Tara Chowk, Block Mansoorchak, District Begusarai bearing Yojana No. 3/2005-06."

has been answered by the respondents in paragraph nos. 3& 4 of the counter affidavit, which reads as follows:-

- "3. That the present writ petition as has been filed by the petitioner is not maintainable either in law or on facts. The petitioner who is a stranger for these respondents has not right or any occasion to file the present writ against these respondents.
4. That it is relevant to mention here that the work under Yojana No. 03/2005-06 was allotted to Sri Ravindra Nath Tibari, Panchayat Sachiv of Mensoorchak Block who is respondent No.7 and said respondent no.7 made an agreement with the respondent. Completed the work as per specification and after measurement of the work entire payment of the money was made to the agent, respondent no.7 through cheque and now there is no dues of even single farthing against said Yojana of Teliya Pokhar against the Government hence the present writ is fit to be dismissed on this score alone."

Let it be noted that despite service of notice of the counter affidavit and categorical stand that the petitioner is a busy body and he was neither the contractor nor the agent who was awarded with such work and the payment of the amount for the work done had already been made to the concerned agent, this writ application must be held to be misconceived and ill-advised.

This application is, accordingly, dismissed.

(Mihir Kumar Jha, J)

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