

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14416 of 2009

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Shahzama Alam S/O Sri Sahshah Siddhiki, Vill.- Durgapur (Ward No.-10, Raghopur), P.O.- Jiyaram Raghopur, P.S.- Raghopur, Distt.- Supaul

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar, Patna
2. Engineer in Chief- Cum- Asst. Commissioner Cum Special Secretary, P.W.D. Govt. of Bihar, Patna
3. Special Officer (Transport) P.W.D. Department, Govt. of Bihar, Patna
4. Chief Engineer (Transport) P.W.D., North Bihar, Darbhanga
5. Superintendent Engineer, P.W.D. Road Circle, Saharsa
6. Executive Engineer, P.W.D. Supaul Road Division
7. Asst. Engineer Cum Sub-Divisional Officer, P.W.D. Birpur, Supaul
8. Junior Engineer, P.W.D. Birpur, Supaul
9. District Magistrate Supaul

.... Respondent/s

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Appearance :

For the Petitioner/s : None.

For the Respondent/s : Mr. Mritunjay Kumar, AC to AAG-10

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 03-02-2015 Despite repeated calls, none appears on behalf of the petitioner in support of the present writ petition, though the name of the learned counsel appearing on behalf of the petitioner is printed in the daily cause list.

During the course of hearing of the case, a counter affidavit is being filed on behalf of the respondent no.4, which is taken on the record. In paragraph-3 of the aforesaid counter-affidavit, the claims raised on behalf of the petitioner have been disputed. In paragraph-4 of the aforesaid counter-affidavit it has further been stated that the admissible amount has already been paid to the petitioner by cheque dated 03.08.2010. So far other claims are concerned, it has been submitted by the learned State Counsel that the petitioner is not entitled for those claims in view of the reasons disclosed in that counter-affidavit.

In view of the averments made in the aforesaid counter-

affidavit filed on behalf of the respondent no.4 and in view of the fact that none appears on behalf of the petitioner to press this writ petition and to controvert the averments made in the aforesaid counter-affidavit, this Court is left with no option, but to dismiss the writ petition.

It is, accordingly, dismissed, but without costs.

(Birendra Prasad Verma, J)

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