

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8964 of 2016

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Shyam Sundar Singh S/o Late Ayodhya Singh, Resident of Village -
Barhaiya (Dani Tola), P.S.- Barhaiya District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Public Works, Bihar, Patna.
2. The Department of Law through its Principal Secretary, Bihar, Patna.
3. The District Magistrate, Lakhisarai.
4. The Superintending Engineer, Public Works Circle, Munger.
5. The Executive Engineer, B.C.D., Lakhisarai.
6. The Assistant Engineer, B.C.D., Lakhisarai.
7. The Junior Engineer, B.C.D., Lakhisarai.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Onkar Nath, Advocate

For the Respondent/s : Mr. Partha Sarthi, G.A.-11

Mr. Mrigendra Kumar, A.C. to G.A.-11

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 05-07-2016 Heard Mr. Onkar Nath, counsel for the petitioner and Mr. Mrigendra Kumar, Assisting Counsel to G.A.-11 for the State.

The petitioner prays for appropriate direction to the respondent no. 5, the Executive Engineer, Building Construction Department, Lakhisarai to make payment of the admitted dues of the petitioner amounting to the tune of Rs. 13,55,400/- stated to be the bill raised by the petitioner in execution of the work of renovation of the residence of the District and Sessions Judge, Lakhisarai.

The facts are not in dispute rather it is admitted that the



petitioner was awarded contract for construction in question and has executed his work. By the letter dated 29.10.2015 present at Annexure-3, the petitioner requested the Executive Engineer for getting the measurement carried out and which was accordingly carried out. On a representation made by the petitioner for payment of his bills that the Superintending Engineer while granting approval for payment of Rs. 13,55,400/- to the petitioner vide his letter dated 09.11.2015 present at Annexure-4 accordingly directed the respondent no. 5 to take necessary steps. A request was made for release of funds and which has since been also allowed and communicated by the Special Secretary vide his Memo dated 28.1.2016 to the Executive Engineer, respondent no. 5 informing him regarding allotment of Rs. 6,73,44,719/- stated to be towards payment of the different works executed in the district, the details of which is given on the reverse of the letter and includes the work executed by the petitioner which is listed at item no. 7.

The grievance of the petitioner is that despite such developments and the money allotted, yet the Executive Engineer, the respondent no. 5 has not released the payment in favour of the petitioner and is sitting over the matter.

Having heard learned counsel for the parties and

considering the position reflecting from the records where admittedly an amount of Rs. 13,55,400/- stands approved by the Superintending Engineer and money has been allotted to the Executive Engineer for the needful, I, hereby direct the Executive Engineer, the respondent no. 5 to take necessary steps to consider the grievance of the petitioner and for redressal thereof within a period of six weeks from the date of receipt / production of a copy of this order.

The application is disposed of accordingly.

(Jyoti Saran, J)

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