

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4001 of 2008

Poras Kumar Yadav, son of Late Sheo Nandan Yadav, resident of village Prithwichak, P.O. Sourha, P.S. Sangrampur, District Munger.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Government of Bihar, Patna.
2. The District Magistrate, Munger, District Munger.
3. The Deputy Development Commissioner, Munger, District Munger.
4. The Sub-divisional Officer, Tarapur, District Munger.
5. The Block Development Officer, Sangrampur, District Munger,
6. The Circle Officer, Sangrampur, District Munger
7. The Executive Engineer, Special Division, Munger
8. The Executive Engineer, Rural Engineering Organization Division, Munger, District Munger.
9. Assistant Engineer, Rural Engineering Division, Munger, District Munger.
10. The Junior Engineer, Sangrampur Block, District Munger.

.... Respondents

Appearance:

For the Petitioner : Mr. Subodh Kumar Jha, Advocate
Mr. Krishna Kumar, Advocate
For the Respondents : AAG 10.

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 10-11-2016

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The present writ petition has been filed for a direction to the respondents to make payment of final bills to the petitioner against the work done under the *Sunischit Rojgar Yojna*/Employment Guarantee Scheme No. 3/1998-99 for construction of *Kumarsar Sarkari Dharmshala* to *Naogaon*, R.E.O. Road.

3. Learned counsel for the petitioner submits that though the

work in question was duly completed in terms of agreement dated 15.10.1998, the final payment was not made to the petitioner despite repeated requests.

4. Learned counsel for the respondents on the other hand, relies on para 10 of the counter affidavit to submit that the petitioner had not completed the work within time and the petitioner in fact had been made an excess payment of Rs. 4,62,500/- and hence no further amount is due to the petitioner.

5. Having regard to the stand of the respondents which has not been controverted as no rejoinder to the counter affidavit has been filed by the petitioner, this Court does not find any merit in the writ petition. Moreover, the petitioner is merely pursuing a stale claim considering that the work in question was completed on 29.10.2002.

6. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	23.11.2016
Transmission Date	N.A.