

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3024 of 2013**

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Sudhir Kumar S/o Shri Surya Dev Pandey resident of Village - Brahrup, PO  
- Waarispur, Ps - Bhagwanpur, District Vaishali at Hajipur

.... .... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Irrigation Department, Government of Bihar, Patna
3. Engineer-In-Chief-cum-Additional Secretary-cum-Special Secretary, Irrigation Department, Government of Bihar, Patna
4. The Superintending Engineer, Tube-Well Circle, Muzaffarpur
5. The Executive Engineer, Tube-Well Division, Hajipur
6. The Divisional Accounts Officer, Tube Well Division, Hajipur, District Vaishali at Hajipur

.... .... Respondent/s

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**Appearance:**

For the Petitioner/s : Mr. Shashi Bhushan Kumar Manglam, Advocate

For the Respondent/s : Mr. Deepak Sahay Jamuar, A.C. to AAG-6

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**CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN**  
**ORAL ORDER**

4      28-04-2016                      Heard learned counsel for the parties.

The grievance of the petitioner is that he has not been paid the due amount for the work done by him pursuant to Agreement No. 8F2/11-12, 2F2/11-12, 17F2/11-12, 03F2/11-12 and 16F2/11-12. Learned counsel for the petitioner submits that although certain cheques was issued by the respondent no. 5 i.e. the Executive Engineer, Tubewell Division, Hajipur but not honoured by the treasury on grounds of non-availability of funds and which has led to the filing of the present writ petition.

This matter was last heard on 12.4.2016 when counsel

for the State was directed to ascertain the present position and inform whether the payments have been made to the petitioner but Mr. Deepak Sahay Jamuar, Assisting Counsel to AAG-6 informs that he has not received any instructions.

Mr. Ravi Ranjan, learned counsel for the petitioner has referred to an order of this Court passed in CWJC No. 2279 of 2013 and analogous cases and submits that in similar circumstances this Court had directed a payment of the admissible dues within eight weeks of receipt / production of a copy of the order and which order would satisfy the grievance of the petitioner.

In the circumstances discussed and where the instructions are lacking, I deem it fit and proper to dispose of the writ petition with a direction to respondent no. 5, the Executive Engineer, Tubewell Division, Hajipur to consider the grievance of the petitioner and make payment of the admissible dues within a maximum period of eight weeks of receipt / production of a copy of the order, if not already paid.

**(Jyoti Saran, J)**

S.Sb/-

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