

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12333 of 2016

=====

Ram Udgar Paswan son of Sanehi Paswan resident of village- Sudharan, P.S.-
Dandari, District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources, Minor Irrigation Department, Bihar, Patna.
2. The Finance Secretary, Finance Department, Govt. of Bihar, Patna
3. The Commissioner, Water Resources, Minor Irrigation Department, Bihar, Patna
4. The District Magistrate, Begusarai
5. The Deputy Development Commissioner, Begusarai
6. The Public Information Officer cum Director Account Administration & Self Employment, District Rural Development Agency, Begusarai
7. The Block Development Officer Sahebpur Kamal, Begusarai.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad, Adv.

For the Respondent/s : Mr. Binay Kr. Pandey, AC to GA-2

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 06-03-2017

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

In this case the petitioner is claiming payment of dues amounting Rs. 6,74,545/- with 10% interest from the date it became due till the date of final payment to the petitioner.

The petitioner was issued work order for execution of the work for sinking boring at different places at Begusarai. There is no dispute that the petitioner has sunk about 133 hand-pumps but the payment for the same has not been made. The execution of the work has been verified by the District Magistrate, Begusarai who sent a letter to the Deputy Secretary, Water Resources, Minor Irrigation Department requesting for payment to



the Contractors including the petitioner. The D.D.C., Begusarai vide Memo No. 1696 dated 03.07.2008 directed to all the B.D.O. under the Begusarai district to submit details of the claimed amount of the Contractors who had sunk boring under the scheme. The District Magistrate, Begusarai vide letter no. 3576 dated 16.12.2008 sent a letter to the Principal Secretary, Water Resources, Minor Irrigation Department for payment of the said amount. The petitioner by way of reference has mentioned the order passed by this Court passed in CWJC No. 14111 of 2008 (Md. Hena Vs. the State of Bihar) which was disposed of with a direction to pay the admitted dues with 6% interest.

In the counter affidavit, the respondents have not denied the factual position of execution of the work by the petitioner.

In that view of the matter, the District Magistrate, Begusarai is directed to examine the case of the petitioner and if the petitioner is found entitled to the said amount, the same must be paid to the petitioner along with 6% interest from the date of his entitlement.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.03.2017
Transmission Date	

