

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15060 of 2016

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Ashok Kumar Sharma son of Late Ramakant Sharma resident of village-
Bhataulia, P.S. Balsand, P.O. Patali, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Special Secretary, Building Construction Department, Bihar, Patna.
2. The Secretary, Finance Department, Bihar, Patna.
3. The Engineer-in-Chief cum-Additional Commissioner-cum-Special Secretary, Building Construction Department, Bihar, Patna.
4. The Chief Engineer (North), Building Construction Department, Bihar, Patna.
5. The District Magistrate, Sitamarhi.
6. The Superintending Engineer, Building Construction Department, North Bihar, Circle Muzaffarpur.
7. The Executive Engineer, Building Construction Division, Sitamarhi.

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Jiwan Prakash Sinha, Advocate.

For the Respondent/s : Mr. Chitranjan Sinha, PAAG 2.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

3 05-05-2017 Heard counsel for the petitioner and counsel for the State.

In this case the petitioner is seeking payment of the outstanding dues of Rs. 1,76,160/- towards the work done in terms of the work order awarded by the respondents. As per the claim of the petitioner, the petitioner was awarded work order vide Agreement no. 116F of 2014-15 for repair of Qr. No. C 19. As per the aforesaid contract agreement, the petitioner has executed the work but payment has not been made.

The counsel for the State submits that there is no



dispute of completion of work but on account of non-availability of the fund, payment has not been made.

Let the petitioner file a detailed representation along with relevant documents pertaining to execution of work in terms of the work order before the respondent no. 2 Engineer – in – Chief – cum - Additional Commissioner – cum - Special Secretary, Building Construction Department, Bihar, Patna who will consider and dispose of the same preferably within three weeks from the date of filing of the representation by the petitioner. If it is found that the petitioner has in fact executed the work in terms of the work order, it goes without saying that the payment of the outstanding dues shall be made to the petitioner without unnecessary delay.

With the aforesaid observations, this application stands disposed of.

(Shivaji Pandey, J)

Dilip, AR

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