

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.2023 of 2015

IN

Civil Writ Jurisdiction Case No. 16447 of 2007

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Chandradeo Prasad Son of Late Gopal Prasad resident of Mohalla A/30
Sadhanapuri Road No. 6, P.S. Gardanibagh, District - Patna.

.... Appellant

Versus

1. The State of Bihar.
2. Secretary, Road Construction Department, Bihar, Patna.
3. Engineer-in-Chief Cum Additional Commissioner-Cum-Special Secretary,
Road Construction Department, Bihar, Patna.
4. The Executive Engineer, Road Construction Department Department. Shahabad
Patha, Pramandal, Arrah.
5. The Assistant Engineer, Shahabad Patha Pramandal, Arrah.

.... Respondents

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Appearance :

For the Appellant : Mr. Jitendra Pandey, Advocate

For the State : Mr. P.K. Verma, AAG3

Ms. Divya Verma, AC to AAG3

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 30-01-2017

I.A. No.9005 of 2015, which is for condonation of 36
days is allowed for the reasons indicated therein.

2. The matter is thereafter taken up on merit.

3. The appeal is against the order dated 20.02.2015,
passed in CWJC No.16447 of 2007 wherein the writ application of the
petitioner was dismissed by the learned Single Judge on the ground
that the claim for payment of a sum of Rs.43,000/- for departmental
work done by the petitioner in the year 1988 has been rejected.

4. From the reading of the learned Single Judge's order,



it seems that the matter was considered by the Liability Committee and it negated the claim of the petitioner-cum-appellant for such claim vide order dated 03.04.2008 and the said order was also affirmed by the Engineer-in-Chief vide letter dated 24.07.2008.

5. With the concurrent finding of the said kind, the disputed facts of settlement of claims cannot be looked into under Article 226 of the Constitution of India.

6. The learned Single Judge has committed no wrong.
Appeal is dismissed.

(Ajay Kumar Tripathi, J.)

(Nilu Agrawal, J.)

S.Kumar/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.01.2017
Transmission Date	NA

