

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1402 of 2014

IN

Civil Writ Jurisdiction Case No. 9976 of 2013

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Om Prakash Sonu, son of Sri Ujjawal Prasad, Resident of Ward No. 16/11, Sastri Nagar, P.O. & P.S.- Araria, District- Araria

.... Appellant

Versus

1. The State of Bihar
2. The Principal Secretary, P.H.E.D., Vishwasaraiya Bhawan, Bihar, Patna
3. The Engineer-in-Chief, P.H.E.D., Vishwasaraiya Bhawan, Bihar, Patna
4. The Chief Engineer, PHED, Bhagalpur, Bihar
5. The Superintendent Engineer, PHED, Darbhanga
6. The Executive Engineer, PHED, Araria
7. The Executive Engineer, PHED, Munger
8. The District Development Commissioner, Araria
9. The District Panchayati Raj Officer, Collectorate, Patna
10. The Executive Engineer, District Rural Development Organisation, Araria

.... Respondents

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Appearance :

For the Appellant/s : Mr. Ashok Kumar, Advocate

For the Respondent/s : Mr. Manish Kumar, AC to AAG-6

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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: 05-05-2017

Heard learned counsel for the appellant and counsel
for the respondent State.

No interference would be warranted with the order
dated 15.05.2014, in fact, the learned Single Judge was
magnanimous enough to entertain the writ application which was
not maintainable because a writ for payment or enforcement of
contract can only arise provided there are no disputes as to the



amount claimed and what is payable and the same has been accepted by the other side. In the present case, it does not seem to be so.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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