

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6417 of 2015

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Md. Mustafa, son of Md. Abdul Wohab, resident of Village- Satokhar, P.S.-
Singheshwar, District- Madhepura.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Road construction Department, Vishweshwariaya Bhawan, New Secretariat, Baily Road, Patna.
2. The Engineer-in-Chief-cum-Additional Commissioner-cum-Special Secretary, Road Construction Department, Vishweshwariaya Bhawan, New Secretariat, Baily Road Patna.
3. The Chief Engineer, National Highway wing, Road Construction Department, Bihar Patna.
4. The Superintendent Engineer, National Highway Circle, Purnea, Bihar.
5. The Executive Engineer, National Highway Division Madhepura.

.... Respondents

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Appearance:

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.

For the Respondent/s : Mr. Ram Shankar Prasad, A.C. to G.P.-14

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 06-03-2017

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

2. In this case, the petitioner is making a prayer to give
direction to the respondents to pay an amount of Rs.16,98,177/- for
different works executed by him, but the same is pending since
long.



3. As per the claim of the petitioner, he was given Work Order from time to time and he executed the same successful. The details of the Work Order which has been allotted to the petitioner are mentioned in paragraph No.4 of this writ application.

4. Learned counsel for the petitioner submits that the respondent authorities have paid the part payment of the bill of different works executed by the petitioner, but never paid the entire dues, on calculation it comes to Rs.16,98,172/-.

5. It appears that the matter was placed before the Liability Committee, which examined claim of the petitioner and found that the petitioner is entitled to the aforesaid amount. The report of the Liability Committee has been mentioned by the Chief Engineer to Engineer-in-Chief about the approval of payment of the aforesaid amount.

6. The petitioner has filed a representation dated 21.10.2014 to the Executive Engineer, N.H. Division, Madhepura, stating the till date he has not been paid the admitted dues, on account of that, he is facing trouble to discharge the family responsibility and requested the authority for payment of the same. The record itself suggests that the petitioner has completed the work



and part payment has been made. The Liability Committee has also examined the case of the petitioner and approved the rest payment.

7. In such circumstances, this Court directs the Engineer-in-Chief, Road Construction Department, Patna, to examine the case of the petitioner and if it is found that the Liability Committee has approved the case of the petitioner, then the outstanding payment should be paid to him within four weeks from the date of receipt/production of a copy of this order along with interest at the rate of 6% per annum.

8. With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	08.03.2017
Transmission Date	N/A.

