

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6310 of 2016

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1. Rakesh Chaubey son of Sri Ramesh Chaubey resident of Mohalla - Zakki Bigha,
P.O. - Dalmianagar, P.S. - Dehri, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Road Construction Department, Bihar, Patna.
3. The Engineer-in-Chief, Road Construction Department, Bihar, Patna.
4. The Chief Engineer, South Bihar Road Construction Department, Bihar, Patna.
5. The Superintending Engineer, Road Construction Department, Ara Circle, Ara Bhojpur.
6. The Executive Engineer, Road Construction Department, Dehri-On-son Division, Dehri, Rohtas.
7. The Assistant Engineer, Road Construction Sub-Division, Jaradug Nauhatta, Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh

For the State : Mr. Ashok Kumar Pathak

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 14-02-2017

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

In the present writ petition, petitioner is seeking
direction for release of admitted dues of Rs. 5,42,045/-.

As per claim of the petitioner under agreement
no.32F2/2011-12 he was allotted the work for repairing the road
from Akbarpur to Yadunathpur from 0 to 5 and 21 to 32 K.M.
for the year 2011-12 and he has completed the work within the
period of two months. The value of work was Rs. 48,02,301/-,



against that bill of Rs.46,59,284/- was prepared. Petitioner has been paid the amount in three installments i.e. Rs. 30,00,000 on 13.7.2012, Rs.10,00,000/- on 2.2.2013 and Rs. 1,17,239/- on 19.3.2013 but remaining amount of Rs.5,42,045/- has not been paid to the petitioner due to paucity of fund.

In such view of the matter, the Chief Engineer, South Bihar Road Construction Department, Bihar, Patna is directed to examine the case of the petitioner if it is found he is entitled the said amount release the remaining amount of the petitioner without unnecessary delay.

For convenience, petitioner is directed to file a detailed representation before the Chief Engineer, South Bihar Road Construction Department, Bihar, Patna and Chief Engineer of the said department will be obliged to examine the matter and release the rest amount within a period of three months from the date of filing of the representation.

With the aforesaid observation and direction this writ petition is disposed of.

Vinay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.2.2017
Transmission Date	NA

(Shivaji Pandey, J)

