

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2342 of 2013

Arising out of

Civil Writ Jurisdiction Case No. 17238 of 2012

=====

M/s Sunni Kumari & Co. through Subhash Kumar, S/o Sri Ram Balak Singh, At +
P.O. Bagdov, P.S. Naya Gaon, District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Dipak Prasad, Principal Secretary, Deptt. of Minor Irrigation, Govt. of Bihar, Patna.
3. Rameshwar Pd. Mahto, Project Co-Ordinator, Tubewell Section, Visheshwarariya Bhavan, Bailey Road, Patna.
4. Narayan Paswan, Chief Engineer (North) Tube-Well Section, Muzaffarpur.
5. Chaturgun Ram, Superintending Engineer, Tube-Well Section, Darbhanga Circle, Laheriasarai, District Darbhanga.
6. Suresh Prasad, Executive Engineer, Tube-Well Section, Opposite D.C. Singh Petrol Pump, Begusarai.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Vivekanand Prasad Singh, Advocate

For the Respondent/s :

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 18-03-2017

C.W.J.C. No. 17238 of 2012 was decided on 14.09.2012

and even though in the initial part of the order the Court observed that there is no justification for not settling the bills of the petitioner after the work was completed and executed in accordance with the contract agreement but finally while disposing of the matter the direction issued by the Court was that the respondents should examine the bills of the petitioner in the light of the work done by him and ensure release of the admissible amount of the bills positively within a period of three months.



From the show-cause and the supplementary show-cause filed it is seen that after assessing the claim of the petitioner, the same has been disputed and certain orders have been passed which goes to show that the respondents are not releasing the payment on account of certain dispute with regard to the work done by the petitioner.

In view of the above, it is not appropriate for this Court now to proceed further in the matter and adjudicate the claim *inter se* between the parties in these contempt proceedings. Once the order passed by the Writ Court was to examine the bills of the petitioner and take a decision and the respondents have taken a decision, as is made out from the show-cause filed, it is not appropriate for this Court to adjudicate the dispute in these proceedings. Liberty shall be available to the petitioner to challenge the decision of the respondents in accordance with law.

With the aforesaid liberty, the Contempt Application stands disposed of.

(Rajendra Menon, CJ)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	20.03.2017
Transmission Date	

