

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10216 of 2013

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Alok Kumar, S/O Mr. Rama Nand Singh, Village - Dhibri, Sikariya, P.S. - Paliganj, District - Patna

.... Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Old Secretariat, Patna , Bihar
2. The Chief Secretary, Old Secretariat, Patna, Bihar
3. The Principal Secretary, Rural Works Department, Vishwesraiya Bhawan, Bailey Road, Patna
4. The Engineer-in-Chief, Rural Works Department Vishwesraiya Bhawan, Bailey Road, Patna
5. The Chief Engineer, Rural Works Department, Vishwesraiya Bhawan, Bailey Road, Patna
6. The Superintending Engineer, Rural Works Department, Harding Road, Patna - 1
7. The Executive Engineer, Rural Works Department Work Division, Daroga Roy Path, Patna

.... Respondent/s

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Appearance :

For the Petitioner : None

For the S t a t e : Mr. Manish Kumar, A.C. to AAG-6

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 28-06-2017 No one appears on behalf of the petitioner.

However, a counter affidavit has been filed by the Executive Engineer, Rural Works Department, Works Division, Patna, stating that the agreement value of the work was Rs.1,01,25,067.00 whereas the value of the road construction work was Rs.69,67,357/-. The petitioner was paid in all Rs.70,31,926.00 and a sum of Rs.71,18,494.00 was previously paid to him. Thereafter, final measurement was done in the presence of the petitioner and it was discovered that in the final bill, an amount of



Rs.86,568.00 had been paid in excess. This amount has now been deducted from the security deposit. Thus, as on date, no further amount remains due against the petitioner. As such, the writ application and the claim of the petitioner have become infructuous.

Considering the entire facts and circumstances of the case and after perusing the records as also Annexure A, which is the measurement book (M.B.), which has been duly signed by the petitioner expressing his satisfaction, this writ application has now become infructuous and is fit to be dismissed.

The writ application thus stands disposed of as infructuous.

(Anjana Mishra, J)

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