

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14256 of 2015

=====

1. Navin Kumar son of Rameshwar Prasad Yadav, Resident of village- Bari Aighu,
P.S.- Muffassil, District- Begusarai (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Urban Development and Housing Department,
Government of Bihar, Vikas Bhawan, Bailey Road, Patna (Bihar)- 800015
3. The Secretary, Bihar Rural Road Development Agency, 5th Floor,
Vishveshwarya Bhawan, Bailey Road, Patna (Bihar)
4. The Engineer-in-Chief, Rural Road Development Agency, 5th Floor,
Vishveshwarya Bhawan, Bailey Road, Patna (Bihar)
5. The Commissioner, Munger Division, District- Munger (Bihar)
6. The District Magistrate-cum-Chairman, District Urban Development Agency,
Khagaria (Bihar)
7. The Chief Engineer-2, Rural Works Department, Bhagalpur Camp,
Vishveshwarya Bhawan, Bailey Road, Patna (Bihar)
8. The Deputy Development Commissioner, Khagaria, District- Khagaria (Bihar)
9. The Superintending Engineer, Rural Works Department, Works Circle-2,
Saharsa, District- Saharsa (Bihar)
10. The Executive Engineer, Rural Works Department, Works Division-2, Newly
Constituted Work Division- Gogri, District- Khagaria (Bihar)
11. The Executive Engineer, Rural Development Special Division, Khagaria,
District- Khagaria (Bihar)
12. The Executive Engineer, Road Construction Department, Road Division,
Khagaria, District- Khagaria (Bihar)
13. The Sub Divisional Officer-cum-Assistant Engineer, Rural Works Department,
Works Division-2, New Constituted Works Division- Gogri, District- Khagaria
(Bihar)
14. The Junior Engineer, Rural Works Department, Works Division-2, Now New
Constituted Works Division- Gogri, District- Khagaria (Bihar)

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate.
Mr. Om Prakash

For the State : Mr. Sunil Kumar, AC to GP.11

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 22-09-2017

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



In the present case, petitioner is claiming total payment of Rs.19,81,585/- on account of non-payment of Rs.13,67,134/- and 5% of deduction from the running bill which comes to Rs.6,14,451/-.

Petitioner was given work for construction of 2.70 K.M. by-pass from Bhakhari Bus Stand to Baluahi Gandhi Park under Mukhya Mantri Sahari Vikas Yojana. The total estimated value of work was Rs.1,37,40,647/-. Some payment has been made but Rs. 13,67,134/- has not been paid till date. Petitioner has placed reliance on the letter dated 10.1.2013 (Annexure-14) written by the Executive Engineer, Rural Works Department, Works Division, Gogari and further submitted that authorities continued to deduct 5% amount from running bill which comes to Rs.6,14,451/- and total amount comes to Rs.19,81,585/-.

In such view of the matter, the District Magistrate, Khagaria is directed to examine the case of the petitioner and make payment of admitted dues to the petitioner within a period of three months from the date of receipt/production of a copy of this order. If the District Magistrate, Khagaria is not agreeable to the claim of the petitioner he will be obliged to give notice to the petitioner and after hearing he will pass a reasoned order. Admitted amount will carry 5% simple interest per annum.



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

(Shivaji Pandey, J)

Vinay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	3.10.2017
Transmission Date	NA

