

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7792 of 2015

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Anil Prasad, son of Sri Bhagwan Prasad, resident of Mohall- Goia Road, P.S-Town,
District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Road Construction Department, Bihar, Patna.
2. The Principal Secretary, Rod Construction Department, Bihar, Patna.
3. The Chief Engineer, Road Division Darbhanga.
4. The Superintending Engineer, Road Construction Department, Samastipur.
5. The Executive Engineer, Road Construction Department, Samastipur.
6. The Assistant Engineer, Road Construction Department, Samastipur.
7. The Junior Engineer, Road Construction Department, Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Adv.

For the Respondent/s : Mr. Anjani Kumar, AAG6

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 25-04-2017

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

In this case, the petitioner is seeking payment of work
done by him as it appears that in terms of the N.I.T., the petitioner has
applied for the work order, ultimately selected and he has constructed
the office building of the Road Construction Department, Bihar,
Patna.

As per claim, the value of the work was Rs. 48,60,578/-.

It appears from the counter affidavit that time to time the petitioner
was asked to remain present for the final measurement but, neither he
nor his agent was present and, on that account, the bill could not be
finalized.



Learned counsel for the State submits that altogether Rs. 34,07,472/- has been paid to the petitioner. Only the dispute has been raised by the petitioner with respect to extra work done by him on the oral direction of the Executive Engineer as well as Junior Engineer which has been disputed in the counter affidavit.

In that view of the matter, to resolve the dispute, it will be appropriate that the petitioner should approach to the Principal Secretary, Road Construction Department with the details of fact who will call upon the Junior Engineer as well as Executive Engineer and, after going into the merit of the case, will take decision by passing a reasoned order.

The petitioner is directed to file a detailed representation before the aforesaid Authority and if such a representation is filed by the petitioner along with a copy of this order, the same will be disposed of within a period of four weeks from the date of filing of the representation.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.04.2017
Transmission Date	NA

