

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16619 of 2017

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Bhagwan Jha, son of Pitamber Jha, resident of Village+ P.O.+ P.S.- Mahishi,
District- Saharsa.

.... Petitioner

Versus

1. The State of Bihar, through the Principal Secretary, Building Construction Department, Bihar, Patna.
2. The Chief Engineer Building Construction Department, Government of Bihar, Bishwasharia Bhawan, Patna.
3. The Superintendent, Building Construction Circle, Purnea.
4. The Executive Engineer, Building Construction Division, Saharsa.

.... Respondents

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Appearance :

For the Petitioner : Mr. Nagendra Upadhyay, Advocate.

For the State : Mr. S. Iqbal Ahmad, SC-20

Mr. Puspanjali Sharma, AC to SC-20

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 19-03-2018

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

2. The present writ petition has been filed for a direction to the respondents to pay the petitioner an amount of final bill for Rs. 46,017/- with respect to contractual works completed by the petitioner.

3. Learned counsel for the petitioner submits that the work under agreement no. 70 F2 for the year 1987-88 dated 22.02.1988 was completed by the petitioner and duly approved by the concerned authorities but however payment of the final bill of Rs. 46,017/- remains outstanding.

4. At the very outset, this Court takes note that the agreement relates to the year 1987-88 and for which the final bill for



Rs. 46,017/- appears to have been submitted some time in the year 1994. As submitted, the dues in question are admitted and the Executive Engineer by his letter dated 07.12.1994 sought allotment of fund for making payment of the same. Thereafter, the petitioner continued to file representations but to no avail, except a further reminder by the Executive Engineer by letter dated 02.09.1997 for allotment of funds (Annexure-4). The petitioner has thus approached this Court after a lapse of more than two decades and in the meantime merely kept filing representations before the authorities for payment of his dues. The petitioner has not acted with due diligence in approaching this Court for redressal of his grievances and is pursuing a stale claim.

5. This Court is accordingly not inclined to interfere in the matter. The writ petition stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
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