

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.24856 of 2013**

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Krishna Deo Prasad S/O Sri Lakshmi Chandra Prasad Resident Of Village-  
Mamurabad, P.S.- Bihar Sharif, Distt.- Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary, Building Construction Department, Govt. Of Bihar, Patna
2. The District Magistrate, Nalanda At Bihar Sharif
3. Engineer-In-Chief Building Construction Department, Visheshwaraya Bhawan, Govt. Of Bihar, Patna
4. The Chief Engineer (South) Building Construction Department, Visheshwaraya Bhawan Govt. Of Bihar, Patna
5. Superintending Engineer, Visheshwaraya Bhawan, Patna Building Circle, Patna
6. Executive Engineer, Nalanda Building Construction Division Bihar Sharif

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : None

For the Respondent/s : None

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date : 05-12-2018**

The present writ petition has been filed for quashing the tender published in Daily newspaper 'Prabhat Khabar' on 30.11.2013 (Annexure-7); and further to order for payment of the due which is pending for the works already done.

2. As none appeared on behalf of any of the parties the matter was passed over for a few cases. However, on repeat call they were again not represented.

3. A perusal of the averment in the writ petition that the petitioner claims to have completed the work required in terms of agreement between the parties. However, the petitioner was required to perform further additional work to which the



petitioner expressed his difficulties and requested for payment with respect to the work already done. However, a fresh tender has been floated for the work already done on 30.11.2013, leading to non-payment of the bills of the petitioner for the work already done.

4. Having regard to the nature of the prayer made in the writ petition, the writ petition is disposed of granting liberty to the petitioner to press his representation dated 02.12.2013 (Annexure-6) with respect to the payment claimed to be outstanding, if not already paid. In such event, the concerned respondent shall consider and dispose of the same in accordance with law.

**(Vikash Jain, J)**

Chandran

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| <b>AFR/NAFR</b>          | NAFR       |
| <b>CAV DATE</b>          | NA         |
| <b>Uploading Date</b>    | 12.12.2018 |
| <b>Transmission Date</b> | NA         |

