

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9519 of 2013

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Arun Kumar Thakur S/O Late Biswamohan Thakur R/O Villge- Majhaura,
P.S. & P.O.- Bahera, District- Darbhanga, At Present Posted As Junior
Engineer, Water Resources Department, Jasidih Camp At Deoghar
(Jharkhand)

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary Water Resources
Department, Sinchai Bhawan, Secretariat, Patna
2. The Engineer-In-Chief Water Resources Department, Govt. Of Bihar, Patna
3. The Chief Engineer Water Resources Department (Bagmati Division),
Muzaffarpur
4. The Superintending Engineer, Water Resources Department (Bagmati
Division No. 1), Sitamarhi.
5. The Executive Engineer, Bagmati Division No. 1 (Water Resources
Department Sitamarhi)
6. The Assistant Engineer, Bagmati Division No. 1 Riga Dist. Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Jha, Advocate
For the Respondent/s	:	Mr. Birju Prasad, Gp 13

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 01-11-2018

Heard counsel for the petitioner and the respondent State.

The writ petition has been filed seeking a direction to the
respondent no. 5 Executive Engineer, Division no. 1 to adjust
the bills and vouchers submitted by the petitioner in the year
1991. At the relevant time petitioner was posted as a Junior
Engineer. It is submitted that bills were submitted after proper
approval and as such the respondents may be directed to adjust
the same.

Counter affidavit has been filed wherein the respondents
have taken a stand that the bills were submitted in respect of
works for which there was no proper order departmentally.



Various irregularities have been alleged in the counter affidavit regarding veracity of the various vouchers submitted. Specific plea has been raised that no comparative value in the measurement book has been shown. No proper deduction of various government taxes has been made on passed vouchers and that payments of labour has been done on hand receipts to contractors of labours which is untenable. Various other irregularities have also been alleged in the counter affidavit and it is the case of the respondents that the bills and vouchers are not worthy of consideration for being adjusted. Such plea in the counter affidavit has not been denied or disputed by filing any rejoinder.

In view of the aforesaid situation, since the bills and vouchers have found to be not in accordance with law, no direction can be issued in favour of the petitioner as prayed in the writ petition.

The writ petition is devoid of merit and the same is dismissed.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

