

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1816 of 2018

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Samadhaan Seva Samiti, having its office 1-D/206 G.D. Mishra Path, Near Dr. Reeta Dayal, behind Rajkishori Apartment, New Patliputra Colony, P.S.- Rajeev Nagar, District- Patna, through its Secretary Atul Shrestha, Son of Late Murari Mohan Prasad, Resident of Diwan Mohalla, Tarni Prasad Lane, Patna City, P.S. - Khajekala, District- Patna- 800008.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. The Special Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Director, Urban Development and Housing Department, Government of Bihar, Patna.
4. The Addl. Secretary-cum-Director, Urban Development and Housing Department, Government of Bihar, Patna.
5. The Joint Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
6. The Regional Chief, Patna Regional Office, HUDCO.
7. The District Magistrate, Patna.
8. The Executive Officer, Phulwarisharif Nagar Parishad, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sanjeev Nikesh, Advocate.
For the Respondents : Mr. Rajiv Roy, GP-1

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 23-02-2018

The present writ petition has been filed for the following reliefs:

“(I) For issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the respondent authorities to make payment of admitted amount of contract bill of Rs. 42,89,532.12/- (Rs. Forty Two Lakhs Eighty Nine Thousand Five Hundred Thirty Two and twelve paise only) along with statutory interest per annum from the date of contract bill till the date of payment the bill has been prepared on the basis of



Schedule of Rate prescribed by the State Government.

(II) For issuance of an appropriate writ in the nature of MANDAMUS commanding and directing the respondent authorities to make payment to the petitioner on the basis of Schedule of Rate prescribed by the State Government time to time.

(III) For any other relief/reliefs to which the petitioner deemed entitled into the facts and circumstances of the case.”

2. Learned counsel for the State as well as learned counsel for the Phulwarisharif Nagar Parishad appear and submit that the petitioner is pursuing a stale claim which relates to the year 2008.

3. Having regard to the nature of the grievances of the petitioner and the inordinate delay occurred in approaching this Court for redressal of its grievances, this Court is not inclined to interfere into the merits of the matter. The writ petition stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	26.02.2018
Transmission Date	N.A.

