

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6771 of 2014

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Sri Surendra Prasad Son Of Late Ram Chandra Prasad Resident Of Mohalla -
Nirala Colony, Digha, P.O. Digha, P.S. Digha, District - Patna At Present Posted As
Junior Engineer Tubwell Division, Jehanabad And Deputed As Junior Engineer,
District Board, Jehanabad Petitioner

Versus

1. The State Of Bihar
 2. The Secretary, Manrega, Bihar, Patna
 3. District Magistrate, Jehanabad
 4. Deputy Development Commissioner Cum Chief Executive Officer, District
Board, Jehanabad
 5. District Engineer, District Board, Jehanabad
 6. Assistant Engineer, District Board, Jehanabad Respondents
- =====

Appearance :

For the Petitioner : Mr. Rajiv Ranjan

For the Respondents : Mr. GP20- NADEEM SERAJ

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 08-05-2018

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

2. The petitioner is aggrieved by the order dated
13.1.2014 bearing Letter no. 3 issued by the District Engineer of
District Board, Jehanabad. Learned counsel for the petitioner
denies and disputes the liability of Rs.12,01,029/- which is sought
to be recovered from the petitioner along with three others. The
petitioner submits that he has no dues in respect of the demand
raised under impugned order dated 13.1.2014.

3. Since, the issue is only in respect of accounting, as the
petitioner's case is that much of the funds which are alleged to be
pending against the petitioner have been utilized and as such,



there is no dues against the department.

4. In view of such stand taken by the petitioner, the issue appears to be only one of settlement of the accounts. Let the petitioner approach the District Engineer, District Board, Jehanabad (respondent no. 5) by filing a detailed representation showing the amount which he alleges to be utilized out of advance of Rs.1,20,109. If such representation is filed by the petitioner within four weeks, respondent no.5 would be obliged to consider the same with reference to the records available in the office and to pass appropriate order thereupon.

5. The entire exercise may be taken without having regard to the order dated 13.1.2014, impugned in the writ petition. If such representation is filed, respondent no.5 would be obliged to take a final decision with respect to petitioner's claim within eight weeks thereafter.

6. The writ petition stands disposed of.

(Madhuresh Prasad, J)

Shashi.

AFR/NAFR	NAFR
CAV DATE	NA
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