

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21672 of 2013

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Muzaffar Imam Son of Zakir Hussain Resident of Mohalla- Khazanchi Hat, Raja
Bari, P.S.- K. Hat, Distt.- Purnea

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Health Engineering Department,
Govt. of Bihar, Patna
2. Engineer-In-Chief, PHED, Govt. of Bihar, Patna
3. Chief Engineer, Nagrik, PHED, Govt. of Bihar at Visheshwariya Bhawan,
Baily Road, Patna
4. Chief Engineer, PHED Purnea
5. Superintendent Engineer, PHED, Purnea Division, Purnea
6. Executive Engineer, PHED Purnea Division, Patna
7. Assistant Engineer, PHED Purnea

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ansul, Adv

Mr. Md. Sufiyan, Adv

For the Respondent/s : Mr. Raj Ballabh Pd. Yadav, AAG XI

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 09-10-2018

This writ petition has been filed for a direction to the respondents to pay a sum of Rs. 26,19,900/- for the extra work done by the petitioner under agreement dated 16.09.2009.

2. Learned counsel for the petitioner submits that pursuant to agreement dated 16.09.2009 extra work was done for which the petitioner is entitled to an amount of Rs. 26,19,900/- which remains outstanding for payment.

3. Learned counsel for the respondents invites reference to para 10 of the counter affidavit wherein it has been stated that the amount in question has not been paid for want of requisite funds in the backdrop of the letter dated 20.07.2012 issued by the Superintending



Engineer, PHED, Purnea Division, Purnea (Respondent No. 5).

4. Having regard to the nature of the grievances of the petitioner and with the consent of the parties this writ petition is disposed of, granting liberty to the petitioner to approach the Executive Engineer, PHED, Purnea Division, Purnea (Respondent No. 6) with representation for redressal of his grievances. If any such representation is filed within a period of two weeks from today, the same shall be considered and disposed of, ensuring payment to the extent found due to the petitioner, within a period of six weeks from the date of receiving the petitioner’s representation. Considering that the dues of the petitioner amounting to Rs. 26,19,900/- stood admitted as far back as in the year 2012, the requisite payment is to be made, if not already paid, together with simple interest at the rate of 6% per annum on the admitted dues calculated from the date when the amount became due till the date of its actual payment.

5. It is made clear that this Court is not expressing any opinion on the merits of the claim of the petitioner.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.10.2018
Transmission Date	NA

