

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11818 of 2013

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Md. Sahid Hussain, son of Late Abdul Wahid, resident of mohalla - Katohhar
Talab, Bari Road, P.S. - Kotwali, District - Gaya

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Building Construction Department, Government of Bihar, Patna
2. Engineer-in-Chief-Cum-Chief-Engineer (South) , Building Construction Department, Government of Bihar, Patna
3. The Superintending Engineer, Building Construction Department, Government of Bihar, Patna
4. The Executive Engineer, Building Construction Department, Government of Bihar, Patna

.... Respondents

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Appearance :

For the Petitioner : None

For the Respondents : Mr. Ajay Kumar, AC to GP-4

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 01-08-2018

The present writ petition has been filed for payment of dues to the petitioner for the work of Renovation of 4 Nos. garage in Campus of – 12, P.O. Qtr. in A.P. Colony Gaya Part A for the year 2011-12 vide Agreement No. F2 of 2011-12.

2. None appears on behalf of the petitioner despite repeated calls.

3. A perusal of paragraph-9 of the writ petition discloses that despite completion of work, payment of the admitted amount of Rs. 4,29,000/- has not been made to the petitioner.



4. Learned counsel for the respondents resists the writ petition submitting on the basis of paragraph-12 of the counter affidavit that payment to the petitioner with respect to the completed work on the basis of measurement amounting to Rs. 2,16,639/- has already been made to the petitioner.

5. Having perused the averments in the writ petition and the stand of the respondents, this Court finds the writ petition to be devoid of merit. A specific stand has been taken in the counter affidavit that upon measurement of the work completed by the petitioner due payment amounting to Rs. 2,16,639/- has already been made to the petitioner. Such stand has not been controverted or disputed by the petitioner and no rejoinder to the counter affidavit has been filed.

6. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
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