

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9514 of 2018

=====

Chandra Mauleshwar Son of Late Mahendra Singh, Resident of Mohalla + P.O. +
P.S. - New Area, Nawada, District - Nawada, Pin : - 805110.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Minor Water Resources Department, Vishweshwaraiya Bhawan, Bailey Road, Patna - 15.
2. The Principal Secretary, Minor Water Resources Department, Vishweshwaraiya Bhawan, Bailey Road, Patna - 15.
3. The Engineer-in-Chief, Minor Water Resources Department, Government of Bihar, Vishweshwaraiya Bhawan, Bailey Road, Patna - 15.
4. The Chief Engineer, Minor Water Resources Department, Airport Road, Patna - 14.
5. The Superintending Engineer, Minor Water Resources Department, Minor Irrigation Circle, Gaya.
6. The Executive Engineer, Minor Water Resources Department, Tube Well Division, Nawada, Now it has been merged in Minor Irrigation Division, Nawada.

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Manish Sahay, Advocate.

For the Respondents : Mr. Chitranjan Sinha, PAAG-2

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 19-06-2018

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

2. The present writ petition has been taken up out of turn on the request of learned counsel for the petitioner for disposal of the same with a direction to the respondents to pay the admitted dues of the petitioner.

3. Learned counsel for the petitioner submits that despite completion of the work of repairing of open channel Pump House, Outlet & Siphon of state tube well, Keshori for the year 2012-13, for a total amount of Rs. 9,38,807/-, only partial payment has been made to the petitioner leaving an outstanding amount of Rs. 3,09,479/-



for payment purportedly for want of funds. It is further submitted that the security deposit has also not been released by the respondents.

4. Learned counsel for the respondents appears and has been heard.

5. 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 Principal Secretary, Minor Water Resources Department, Patna (Respondent No. 2) with a fresh 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. Any delay in payment of the admitted amount beyond the stipulated period as stated above, shall entitle the petitioner to receive payment 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. In case the petitioner's claim is found inadmissible, whether in whole or in part, the petitioner's representation shall be disposed of by a speaking order in that regard.

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

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	21.06.2018
Transmission Date	N.A.

