

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
WPC No. 2033 of 2016

M/s Siraj Khan Proprietor M/s Siraj Khan S/o Md. Mubin, Aged About 42 Years R/o
Near Sub- Jail Gorakhpur Pendra, P.S. Pendra, District Bilaspur, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh S/o Through Secretary, Water Resource Department,
Mahanadi Bhawan, New Mantralaya, P/ S Naya Raipur, Chhattisgarh
2. The Engineer In Chief, Water Resource Department, Raipur, Chhattisgarh
3. The Executive Engineer, T. D. P.P. Water Resource Department, Jagdalpur, P/ S
Kotwali, District Jagdalpur Bastar Chhattisgarh

---- **Respondents**

For Petitioner	: Shri Avinash K. Mishra, Advocate.
For Respondent/State	: Shri Prafull N. Bharat, Additional Advocate General.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board

10/12/2018

Per Ajay Kumar Tripathi, Chief Justice

1. Heard counsel for the parties.
2. Writ application was filed for a direction upon the Respondent State authorities to make payment of the piece work assigned to the Petitioner by the Respondents. Assertion in the writ application is that all work had been completed long back, but the payments have not been made by the concerned authorities, therefore, a direction was required to be issued.
3. The stand of the State in their return is that 36 piece work was allotted and assigned to the Petitioner, but only 16 piece work had been completed and payment of the said work had already been made after due verification and

evaluation. With regard to the rest of the work, he has not filed any document to show execution of work or the amounts so due.

4. No rejoinder has been filed to the said return even though a copy of the same was served way back on 23.11.2016.

5. In view of the rebuttal of the claim of the Petitioner and since it is not a case of accepted dues, no writ can issue in decisive form for payment of any claim so made by the Petitioner in the present writ application on generality of assertions.

6. Writ is therefore dismissed.

Sd/-

(Ajay Kumar Tripathi)
CHIEF JUSTICE

Sd/-

(Parth Prateem Sahu)
JUDGE