

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16451 of 2018

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Rajendra Sharma S/o Late Bako Sharma, R/o Mohalla- Dan Nagar, Ward No.-
3, Post and P.S.- Khagaria, Distt- Khagaria.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Bihar Rural Works Department, Patna.
2. The Additional Chief Executive Officer-cum-Secretary, Bihar Rural Work Development, Bailey Road, Vishweshwari Bhawan, Patna.
3. The Secretary, Government of Bihar, Rural Works Department, Bihar Government, Bihar.
4. The Engineer-in-Chief, Rural Department, Works Division, Patna.
5. The Chief Engineer-2, Rural Works Department, Bhagalpur, Harding Road, Barack-2, Patna.
6. The Executive Engineer, Rural Works Department, Purnea.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan, Advocate
For the Respondent/s : Mr.P.N. Shahi- Aag6

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-08-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner in the present case is seeking a simple money decree directing the respondents to pay a sum of Rs. 6,00,000/- (Six Lacs) for a work which he is said to have executed under an agreement executed in the year 2007-08 and maintenance work is said to have been done during 2011-15. The writ application has been filed after about 3 years from the date on which the cause of action arose to the petitioner, if



any.

Learned counsel for the petitioner submits that in fact the petitioner had been filing representations to the authorities concerned and the last representation was of the year 2017 as contained in Annexure '2' to the writ application.

It is well settled by now that filing of the representations for years and years together will not extend the cause of action and period of limitation for the petitioner, moreover a pure and simple money claim cannot be allowed in a writ jurisdiction.

This Court has no reason to entertain the present writ application, it is dismissed accordingly with liberty to the petitioner to seek his remedy before appropriate court/forum in accordance with law.

(Rajeev Ranjan Prasad, J)

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