

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2223 of 2019

Vir Vikash Vikram aged about 35 years, Gender – Male, S/o Gouri Shankar Singh, Resident of -Ward No.09, Jamhra, P.S.- Saharsa, Dist.- Saharsa.

... .. Petitioner

Versus

1. The State Of Bihar through the Secretary,Rural Works Department, Govt. of Bihar, Patna
2. The Secretary, Rural works Department, Govt. of Bihar, Patna
3. The Executive Engineer, Rural Works Department, Work Division, Saharsa
4. The Secretary, Public Health Engineering Department, Govt. of Bihar, Patna
5. The Executive Engineer, Public Health Engineering Department, Saharsa, Bihar
6. The Secretary, Planning and Development, Govt. of Bihar, Patna
7. The Executive Engineer, National Rural Employment Project, Saharsa (now Known as Local Area Engineering Organization)
8. The District Magistrate, Saharsa
9. The Deputy Development Commissioner, Saharsa

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan
For the Respondent/s : Mr.Harish Kumar (Gp8)

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. **24-04-2019** This writ application has been filed for issuance of a writ in the nature of mandamus commanding the respondents to pay the dues amounting to Rs. 7,18,300/- along with statutory penal interest to the petitioner for executing the beautification and renovation work of Vikas Bhawan including office and computer room of the Deputy Development Commissioner, Saharsa.



Learned counsel for the petitioner submits that the petitioner had executed the work of beautification and renovation of Vikas Bhawan including the office and computer room of the Deputy Development Commissioner, Saharsa in the year 2010-11 to 2011-12.

It is also stated that during execution of the work some payments were also made to the petitioner upon direction of the executing agency but the rest of the amount has not been paid. Learned counsel for the petitioner has drawn attention of this court towards Annexure 'P-2' dated 17.10.2017 written by the District Magistrate, Saharsa to the Executive Engineer, Rural Works Department, Works Division, Saharsa in which reference has been made to the case of the petitioner for payment of the outstanding dues.

Learned counsel for the State submits that it appears from the records particularly Annexure 'P-2' that the petitioner was pursuing the matter with the concerned authority for the payment of the alleged dues. It is further submitted that the dues in the present case is yet to be considered by the authorities concerned and hence this court need not go into the case of the petitioner and decide the same because apparently the dues is not in the nature of the



admitted dues.

Having heard learned counsel for the parties and on perusal of the records particularly Annexure 'P-2', this court finds that the District Magistrate, Saharsa is *in seisin* of the matter as he had called for a meeting of the concerned officers to make available the concerned records relating to work of beautification done in the office of the Deputy Development Commissioner, Saharsa and the pending bills in relation thereto.

The District Magistrate, Saharsa is directed to consider the request of the petitioner after verification of the records and in case it is found that the petitioner had worked and pursuant to the said work some payments have remain due to the petitioner, the admitted amount shall be paid to the petitioner within a period of four months from the date of receipt/production of a copy of this order.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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