

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2499 of 2019

M/s S.B. Chaudhary Construction, through it's Managing Partner Shyam Babu Chaudhary, aged about 45 years (M), son of Late Ramdeo Chaudhary, Resident of Near Bajrang Mandir Ward No. 6 Chand Malhipur, Begusarai, P.S. Begusarai, District- Begusarai.

... .. Petitioner

Versus

1. The Bihar State Electricity Board through the Chief Engineer (Civil), Bihar State Electricity Board, Patna.
2. The Chief Engineer (Civil) The Bihar State Electricity Board, Patna.
3. The Managing Director cum chief Engineer Barauni Thermal Power Station Begusarai.
4. The Superintending Engineer (Civil) Barauni Thermal Power Station, Begusarai.
5. The Executive Engineer (Civil) The Barauni Thermal Power Station Begusarai.
6. The Assistant Engineer(Civil) The Barauni Thermal Power Station Begusarai.

... .. Respondents

Appearance :

For the Petitioner/s :

For the Respondent/s : Mr.Vinay Kirti Singh, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 29-04-2019 At the outset, learned counsel representing the respondent nos. 1 to 6 prays for leave to make certain correction in the counter affidavit. Permission is granted. Let the corrections be carried on in course of the day.

This writ application has been filed seeking a direction to the respondent authorities to take final measurement of work done by the petitioner including the work which the petitioner claims to have done on verbal order of respondent authorities. Prayer has now been made to direct preparation of the final bill



and to make payment thereon to the petitioner.

Learned senior counsel representing the respondents have drawn attention of this court towards the statements made in the paragraph '9' onwards in the counter affidavit. It is stated therein that final measurement of the executed work was taken in presence of the petitioner on 20.06.2013 and based on the said final measurement final bill was prepared and paid to the petitioner vide Cheque No. 028466 dated 14.11.2014. It appears that copy of the counter affidavit was served upon the petitioner on 24.04.2019, however no one appears on behalf of the petitioner to press this writ application.

In the given facts and circumstances of the case, this court finds that so far as the admitted bills are concerned, according to the respondents, those have been prepared and paid to the petitioner. In case, the petitioner has any other and further claim the same cannot be adjudicated in a writ application. The petitioner will be at liberty to vindicate his grievance in respect to any other and further claim in accordance with law before an appropriate forum.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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