

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8254 of 2018

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Amit Kumar, Son of Ashok Kumar Thakur, Resident of Mohalla- Vijaynagar,
Police Station and District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Public Health Engineering Department, Bihar, Patna.
3. The Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Bihar, Patna.
4. The Chief Engineer, Public Health Engineering Department, Region- Bhagalpur.
5. The Superintending Engineer, Public Health Engineering Anchal- Bhagalpur.
6. The Executive Engineer, Public Health Engineering Division, Banka.
7. The Assistant Engineer, Public Health Engineering Division, Banka.
8. The Junior Engineer, Public Health Engineering Division, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajib Ranjan Jha, Advocate
For the Respondent/s : Mr. S. Raza Ahmad- AAG5

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 21-05-2019

Heard the learned counsel for the parties.

2. The petitioner seeks an order/direction to the respondent no. 3 to pay him the dues amount of Rs. 3,36,383/- with statutory/penal interest thereupon as such amount was illegally/unauthorizedly withheld from him.

3. It has been submitted that the petitioner has already completed the allotted work in time and out of the



total bill amount of Rs. 14,36,383/-, only Rs. 11 lakhs have been paid to him. It may be noted that the work which was allotted to the petitioner was with respect to construction of Laboratory Building under the scheme of NABARD in the year 2011-12.

4. Learned counsel for the petitioner has shown to this Court the recommendation of the other authorities of making good the balance amount of the bill which has been presented by the petitioner. Learned counsel for the petitioner submits that since no objection has been raised by the concerned respondent with respect to payability of the aforesaid amount to the petitioner for having completed his work, it would not be necessary for him to approach the Bihar Public Works Contract Arbitration Tribunal.

5. It has thus been submitted by the petitioner that he would be satisfied if he is permitted to make a representation before the respondent no. 3, the Engineer-in-Chief-cum-Special Secretary, Public Health Engineering



Department, Bihar, Patna within a period of six weeks detailing his grievances and raising the demand of the balance bill amount, who in turn be further directed to pass a reasoned order within a stipulated period of time.

6. Should such a representation be filed by the petitioner before respondent no. 3, the Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Bihar, Patna within a period of six weeks, the same shall be disposed of by a reasoned order by the concerned respondent within a further period of six weeks thereafter.

7. With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
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