

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 4457 of 2019

=====

Akhilesh Kumar aged about 41 Years (Male) Son of Surendra Singh, Resident of Village- Narangi Jagdish, P.O.- Kolwara, P.S.- Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Rural Works Department, Government of Bihar, Visheshwaraiya Bhawan, Bailey Road, Patna.
2. The Engineer in Chief, Rural Works Department, Government of Bihar, Visheshwaraiya Bhawan, Bailey Road, Patna.
3. The Superintending Engineer Cum Nodal Officer, State Yojna, Rural Works Department, Patna.
4. The Chief Engineer-I, Rural Works Department, Visheshwaraiya Bhawan, Bailey Road, Patna.
5. The District Magistrate, Muzaffarpur.
6. The Executive Engineer, Rural Works Department, Works Division Muzaffarpur West, District- Muzaffarpur.
7. The District Transport Officer, Muzaffarpur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Pradhan Murli Mohan Prasad and Mr. Raja Kumar Goswami, Advocates
For the State	:	Mr. P. N. Shahi, Sr. Advocate Mr. Manish Kumar, AC to AAG 6

=====

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 29-05-2019

Heard learned counsel for the petitioner and learned AC
to AAG-6 for the State.

2. The petitioner has moved the Court for the following
reliefs:

*“That this is an application for
issuance of an appropriate writ order/orders,
direction/s, writ/s including a writ preferably in
the nature of Mandamus commanding and*



directing upon the respondents to make the admissible dues of the petitioner amounting to Rs. 3,89,446/- (Rupees Three Lacs Eighty Nine thousand Four hundred and Forty Six) only along with interest on the ground of delay and latches on the part to the Respondents taking into the consideration that he has completed the work within stipulated period of time of construction of R.C.C. Bridge in Rampur Road to Khantri Mahanand Road under MMGSNY for the year 2016-17.

The petitioner seeks indulgence of this Hon'ble court to grant him any other relief/s to which the petitioner is entitled in the facts and circumstances of the case."

3. The contention of the petitioner is that he has done the construction of RCC bridge from Rampur Road to Khantri Mahanand Road under the MMGSNY in the year 2016-17 for which he is entitled for payment of Rs. 9,37,237/- as per the agreement. It was submitted that out of the same, only Rs. 5,26,000/- has been paid and the remaining Rs. 3,89,446/- is still due.

4. Learned counsel for the petitioner drew the attention of the Court to the representations dated 07.12.2018 and 28.12.2018, made by him to the respondent no. 5 requesting him to make payment of the remaining dues. It was submitted that despite having completed the work within time i.e., prior to 03.05.2016, the amount due to him has still not been paid even after two years.



5. Learned counsel for the State submitted that the payment is made subject to verification by the authorities with regard to the actual work done by the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court does not deem it necessary to keep the writ petition pending.

7. Accordingly, the writ petition stands disposed off with a direction to the respondents no. 5 and 6 to ensure that the payment to the petitioner with regard to the aforesaid work done by him, if already not made, be so done within four weeks from the date of production of a copy of this order before them, after verifying with regard to his entitlement in terms of the actual work done by him.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	
T	

