

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4956 of 2019

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Birendra Kumar Raushan, aged about 39 years, male, Son of Ram Chandra Sahni, Resident of Village-Mathia, Post-Nakta, P.S.-Motipur, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Rural Works Department, Govt. of Bihar, Visheshwaraiya Bhawan, Bailey Road, Patna.
2. The Engineer in Chief, Rural Works Department, Govt. 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.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Adv.

For the Respondent/s : Mr. Kumar Alok, SC-7

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 23-05-2019

The petitioner has approached this Court for a direction to the respondent authorities to make payment of his admissible dues amounting to Rs. 3,79,730/- along with



interest for his having completed the work given to him, viz., construction of R.C.C. Slab Culvert (1 x 2M x 1.5M) in Village-Baruraj, Near-Proposed Block Work, Block-Motipur under M.M.S.N.Y. for the year 2016-17.

2. It has been submitted on behalf of the petitioner that an agreement was entered into between the respondents and the petitioner for the work entailing an amount of approximately Rs. 9,37,237/-. After the work was completed and necessary certification was issued, the petitioner has been paid Rs. 5,57,507/, but the dues amount of Rs. 3,79,730/- still remains unpaid. The Executive Engineer, Rural Works Department, Works Division, Muzaffarpur West, District-Muzaffarpur (respondent No. 6) has submitted the test result of bricks and concreting way-back in the year 2017, after the same was tested in the Regional Laboratory, R.W.D., Muzaffarpur. The representation of the petitioner before the District Magistrate, Muzaffarpur has yielded no result.

3. Constrained by such inaction of the respondents, the petitioner has approached this Court.



4. Under the aforesaid circumstances, this Court deems it appropriate to direct the petitioner to make a fresh representation before the Executive Engineer, Rural Works Department, Works Division, Muzaffarpur West, District-Muzaffarpur (respondent No. 6), detailing his grievances and stating in detail regarding the dues amount, within a period of six weeks from today, who, on receipt of the same, after verifying the records, shall pass necessary order in accordance with law within a further period of six weeks thereafter.

5. Needless to state that if the claim of the petitioner is found to be tenable, he shall be paid the dues amount within the aforesaid stipulated period.

6. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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Transmission Date	N/A

