

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.919 of 2018
In
Civil Writ Jurisdiction Case No.8955 of 2011

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M/s Laxmi Enterprises, a proprietorship firm through its Proprietor Bireshwar Prasad Shukla, son of Late Rameshwar Prasad Shukla, resident of Village and Post Office- Khanjaha Chak, Police Station-Lalganj, District-Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar through Sri Amrit Lal Meena, son of not known, at present posted as Principal Secretary, Road Construction Department, Vishweshwaraiya Bhawan, Bailey Road, Patna
2. Sri Laxmi Narayan Das, son of not known, at present posted as Engineer-in-Chief-cum-Additional Collector-cum-Special Secretary, Road Construction Department, Vishweshwaraiya Bhawan, Bailey Road, Patna
3. Sri Ram Autar Sah, son of not known, at present posted as Chief Engineer, Road Construction Department, South Bihar, Darbhanga
4. Sri Rajeev Ranjan Prasad, son of not known, at present posted as Superintending Engineer, Road Construction Department, R.C.D. Circle, Saran at Hajipur, Vaishali
5. Sri Raj Kishore Prasad Singh, son of now known, at present posted as Executive Engineer, Vaishali, Road Division Hajipur, Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Shankar Dayal Singh, Advocate
For the Opposite Party/s :	Mr. Dinesh Maharaj, A.C. to AAG-11

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

13 29-03-2019 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

A supplementary show cause has been filed on behalf of O.P. No.5 annexing a copy of the cheque, which is stated to have been released on 28.03.2019 in favour of the petitioner.

The Executive Engineer, R.C.D., Vaishali Road Division, Hajipur, Vaishali (O.P. No.5) is present in Court pursuant to the earlier directions. He submits that the payments to the petitioner have been made substantially and the rest



amounts, which are claimed by the petitioner, are disputed amounts which may be resolved between the parties. He also submits that the appeal against the judgment is pending before this Court and as and when required and subject to the same being admitted amount, O.P. No.5 is willing to make payment of the rest amount, subject to the result of the L.P.A.

Learned counsel appearing on behalf of the petitioner, however, submits that all the details of the amounts due have already been provided to the Executive Engineer, but he is only prevaricating. Thus, he seeks an adjournment to clarify and seek instructions from his client as to what amount is due.

Be that as it may, in view of the substantial compliance of the order, the present contempt application is disposed of with liberty to the petitioner to approach the authorities for payments of the rest amount and if at all is found due, the opposite parties shall take necessary steps to release the same in favour of the petitioner.

(Anjana Mishra, J)

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