

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16175 of 2019

Rajeshwar Prasad, son of Kanchan Prasad, resident of Vill.- Ward no. 13,
Sabuni, P.O. and P.S.- Ram Nagar, Distt.- West Champaran
... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Govt. of Bihar, Patna
2. The Principal Secretary Road Construction Department, Govt. of Bihar, Patna
3. The District Magistrate West Champaran
4. The Executive Engineer Road Construction Department, Road Division, Betiah, West Champaran
5. The Deputy Development Commissioner cum Chief Executive Officer Zila Parishad, West Champaran
6. The Executive Officer Nagar Panchayat, Ramnagar, West Champaran

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar
For the Respondent/s : Mr. Manoj Kumar Ambastha (SC-26)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 18-01-2020 The petitioner has approached this Court for a direction to the concerned respondents to pay the outstanding bill amount of Rs. 3,28,654/- against the construction work which was executed by the petitioner under an agreement.

It has been submitted on behalf of the petitioner that construction of P.C.C road under scheme no. 01/14-15 was entrusted to the petitioner which was duly executed within time. Despite this, payment against



the bill raised by the petitioner has not been made even when no objection has been raised with respect to the bill amount.

Since the agreement was entered into between the petitioner and the Nagar Panchayat, Rampur, a representation was made by the petitioner before the Executive Officer, Nagar Panchayat, Rampur to make good the payment of the bill amount but the same was never acted upon. A reminder letter also went unheeded.

There is no reason why the bill amount raised by the petitioner ought not to be paid to him if there is no objection from any quarter with respect to the billing. A government agency cannot sit over the rightful claim of an applicant without any reason.

This Court is also not satisfied and happy with the impervious approach of the Executive Officer, Nagar Panchayat, Ramnagar, West Champaran who ought to have responded to the representation and the reminder of the petitioner.



Under the aforesaid circumstances, this Court directs that in the event of the petitioner making a fresh representation for payment of the aforesaid bill amount before the Executive Officer, Nagar Panchayat, Ramnagar, West Champaran (respondent No. 6) within a period of four weeks, the same shall be looked into by the concerned respondent. The facts would be verified and if the claim of the petitioner is found to be payable, necessary orders shall be passed by him and arrangement shall be made so that the petitioner is paid the bill amount at the earliest. The entire exercise must be completed within a period of three months from the date of filing of such representation along with a copy of this order.

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

(Ashutosh Kumar, J)

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