

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6781 of 2020

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Rajeev Kumar Singh, Son of Sri Sudhir Prasad Singh, Resident of Village-
Maharajganj, P.S. Jamui, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Water Resources Department,
Government of Bihar, Patna.
2. The Engineer-In-Chief-Cum-Special Secretary, Water Resources
Department, Government of Bihar, Patna.
3. The Superintending Engineer, Water Resource Department, Irrigation Circle
Nawada, District- Nawada.
4. The Executive Engineer, Water Resources Department, Irrigation Division
Nawada, District- Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr. Vinay Kriti Singh (G.A. 2)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER
(Per: HONOURABLE THE CHIEF JUSTICE)

3 29-11-2021

Petitioner has prayed for the following relief(s):-

“a) For issuance of a writ of mandamus commanding the Respondents to forthwith release the amount admitted by the Respondents to be paid to the petitioner as full and final payment upon successful execution of works contract by the petitioner pursuant to Agreement No. 16-F2 of 2005-06 and Agreement No. 18-F2 of 2005-06 which has been withheld on flimsy and unreasonable grounds.

b) For a further direction upon the Respondents to release the above said admitted amount along with compound interest/simple interest as this Hon’ble Court may reasonably arrive to the conclusion or to which petitioner is entitled to in the background and



facts and circumstances of the case.

c) For a further direction to the Respondents that the pendency of the writ application will not in any manner serve as a hindrance in making over the full and final payment along with the interest as claimed hereinabove in as much as the petitioner's only source of income and livelihood is wholly and solely dependent upon the payment of such bills which he undertakes as his pious profession.

d) To pass any other order/orders in shape of a consequential relief to which the petitioner may be found to be legally entitled to in the facts and circumstances of the instant case at hand."

On 15.11.2021, we had passed the following order:

"No one appears on behalf of the petitioner. However, Mr. Kunal Tiwari, learned counsel for the State is present. He states that counter affidavit has been filed, which is not on record.

Registry to place the same on record.

List on 06.12.2021 under the category of "Order Matters".

Even today, despite repeated calls and pass over, none appears on behalf of the Petitioner.

As such, the petition is dismissed for default.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/Veena-

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