

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14504 of 2021

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Deepak Kumar male aged 27 years son of Pradip Kumar,
resident of Mohalla-Birpur, Tirupati Hotel, Ward No. 9,
Basantpur, P.S. Birpur, District-Supaul

----- Petitioner

versus

1. The State of Bihar
2. The Principal Secretary, Public Works Department, Bihar,
Patna
3. The Principal Secretary, Urban Development Department,
Bihar, Patna
4. The District Magistrate, Patna
5. The Executive Officer, Nagar Panchayat, Naubatpur, Patna
6. The Executive Officer, Nagar Vikash Division, Patna (West)
7. The Assistant Engineer, Nagar Vikash Division, Patna
(West)
8. The Joint Engineer, Nagar Vikash Division, Patna (West)

----- Respondents

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Appearance:-

For the Petitioner :-Mr. Rajesh Kr. Sinha, Advocate

For the State :-Mr. Rajeev Sinha, AC to AAG-7

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CORAM:HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2. **15.09.2021** The instant case has been taken up for
consideration through the mode of Video conferencing in view



of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

The present writ petition has been filed seeking the following reliefs:-

“(i) For a direction to the respondent authorities to make payment amount of Rs. 33,03,650/- (Rupees thirty three lakh three thousand and six hundred fifty only), which is due to be paid since 26.04.2020 against the work completed by the petitioner with respect to Yojana No. 48/2019-20 (Yojana Name as Ward No. 9 from Devi Asthan to Purushottam Harijan School Kharanja (Breaking), Nali (Drainage) and P.C.C. Road construction work) under Nagar Panchayat Naubatpur, Patna in light of work order has been granted vide Memo No. 110 dated 25.01.2020 issued by the Executive Officer, Nagar Panchayat, Naubatpur, Patna.

(ii) Further for a direction to the respondent authorities to make payment amounting of Rs. 27,89,245/- (Rupees twenty seven lakh eighty nine thousand and two hundred forty-five only) which is due to be paid since 26.04.2020 against the work completed by the petitioner with respect to Yojana No. 49/2019-20 (Yojana name as Ward No. 9 from House of Bjendra Manjhi to Main road Mahisaurhi, Kharanja (breaking)



Nali (Drainage) and P.C.O. Road Construction Work) under Nagar Panchayat Naubatpur, Patna in the light of work order has been granted vide Memo No. 111 dated 25.01.2020 issued by the Executive Officer, Nagar Panchayat, Naubatpur, Patna.

(iii) Further for a direction to the respondent authorities to make payment amounting of Rs. 41,62,957/- (Rupees forth one lakh sixty two thousand and Nine hundred fifty seven only) out of which Rs. 10 (Ten) Lakh has been paid as advance and rest amount is due to be paid since 26.04.2020 against the work completed by the petitioner with respect to Yojana No. 50/2019-20 (Yojana Name as Ward No. 11 from Pipal tree to Mithlesh lodge Nali (Drainage) and P.C.C. Road Constriction work) under Nagar Panchayat Naubatpur, Patna in the light of work order has been granted vide Memo No. 112 dated 25.01.2020 issued by the Executive Officer, Nagar Panchayat, Naubatpur, Patna.”

The learned counsel for the petitioner, at the outset, submits that the petitioner would be approaching the respondent no. 3 i.e. the Principal Secretary, Urban Development Department, Bihar, Patna for redressal of his aforesaid grievances, hence, the respondent no. 3 be directed to take



appropriate decision and pay the admitted outstanding dues within a stipulated time frame.

The learned counsel for the respondent-State Shri Rajeev Kumar Sinha, AC to AAG-7 has got no objection.

Accordingly, the present writ petition stands disposed off with liberty to the petitioner to file appropriate representation for payment of the admitted outstanding dues as aforesaid, before the learned Principal Secretary, Urban Development Department, Government of Bihar, Patna and in case such a representation is filed within a period of four weeks' from today, the same shall be considered, in accordance with law and appropriate Orders shall be passed within a period of eight weeks, therefrom and in case any admitted outstanding dues are found payable, the same shall be paid within a further period of eight weeks, thereafter.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

S.Sb/-

