

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2236 of 2021

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Akram Ansari (Male), aged about 43 years, Son of Late Haji Anwar Ali,
Resident of Alam Tola, Ward No. 22, House No. 74, P.S. Farbisganj, Dist. -
Araria.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Chairman, Nagar Parishad, Forbesganj.
3. The Executive Officer, Nagar Parishad, Forbesganj.
4. The Executive Engineer, Nagar Nikay (Purnia and Araria).
5. The Junior Engineer, Nagar Parishad, Forbesganj.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Alok Kumar Choudhary with
Mr. Kulanand Jha, Advocates

For the Respondents : Mr. Rajeev Kumar Sinha AC to AAG-7.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

4 06-12-2021 This writ petition has been filed commanding the respondents to make payment of sanctioned bill dated 21.05.2019, for a some of Rs. 3,07,427/- issued by the Executive Officer, Nagar Parishad, Forbesganj in respect of Scheme No.09/2018-2019, for performance of work contract.



On perusal of the writ petition, we notice that the respondents are enquiring into the matter as to whether the petitioner had executed the work in-question or not.

Mr. Choudhary, learned counsel appearing on behalf of the petitioner, has contended that at no point of time after preparation of the said bill dated 21.05.2019 the petitioner was ever informed about pendency of any enquiry. He has, therefore, submitted that whatever has been done by the respondents, the same has been done behind his back.

It is manifest on perusal of Annexure-6, which is a communication by the Executive Engineer, *Nagar Nikay*, Purnia & Araria, addressed to the Executive Officer, Nagar Parishad, Forbesganj that reportedly the petitioner was not cooperating in the enquiry being conducted in relation to execution of work in-question.

In our view, the petitioner's claim for payment of the amount cannot be said to be admitted rather the claim is in serious dispute. In any view of the matter, since the dispute arises out of a contract, we are not inclined to entertain this writ application which is, accordingly, dismissed. It goes without saying that the petitioner shall be at liberty to approach appropriate forum or invoke any other provision of law for the



redressal of his grievance.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

shyambihari/-

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