

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12078 of 2015

Raj Informatics Construction

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Health, Government of Bihar, Patna.
3. The Regional Deputy Director, Health Department, Patna.
4. The District Magistrate Cum-Chairman District Health Society, Patna.
5. The Civil Surgeon Cum Chief Medical Officer cum Secretary, District Health Society, Patna.
6. The In-charge Medical Officer cum Secretary, Rogi Kalyan Samiti, Primary Health Centre, Naubatpur,
7. The Block Development Officer-cum-Chairman, Rogi Kalyan Samiti, Naubatpur.
8. The Treasury Officer, Sub-Treasury, Danapur, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar
For the Respondent/s : Mr. Ajay- Gal2

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL JUDGMENT

Date : 10-08-2023

1. The present writ petition has been filed for the following reliefs:

“That this writ application is being filed for issuance of appropriate writ/writs order/orders and/or direction for taking decision and a fresh and subsequently for payment of legal/admitted dues of the year 2007 to 2008, 2008 to 2009 and up to 15th June 2009 with interest from the due date as the same was not paid by the competent authority in time.”

2. Learned counsel appearing on behalf of the petitioner has stated that in spite of submitting all the bills to the concerned



authorities, they have not paid the amounts due to the petitioner and, therefore, the petitioner was constrained to approach this Hon'ble Court. Learned counsel has stated that in the counter-affidavit filed by the respondents, the authorities have taken a stand that the log book was not submitted by the petitioner and, therefore, the amounts due to the petitioner could not be ascertained and the amounts paid. Further, the learned counsel for the petitioner has stated that the above statement made by the respondent authorities is not correct as the respondent authorities wherein custody of the log books and the same were not with the petitioner. That on an earlier occasion, the petitioner has only submitted the certificates certifying the work done by the petitioner to the authorities and that the said certificates were prepared after verification of the log books which were in the custody of the authorities. Therefore, the stand now taken by the authorities that unless and until the petitioner submits the log book, the amounts due to the petitioner cannot be made is not only false but the same is contrary to the record. Therefore, learned counsel for the petitioner has prayed this Hon'ble Court to allow the present writ petition.

3. After going through the documents filed by the petitioner as well as the counter-affidavit filed by the respondents,



it is seen that the petitioner has earlier submitted certificates which were issued by the authorities concerned. Admittedly, these certificates were issued after verification of the log books. Therefore, the stand taken by the authorities that unless and until the petitioner submits the log books is without any legal basis and contrary to the earlier payments made.

4. Having regard to the above made submissions, this Court directs the petitioner to submit a representation along with all the necessary certificates certifying the amounts due to him within a period of four weeks from the receipt of the copy of this order and on such representation being made the same shall be considered without insisting for production of the log books within a period of eight weeks thereof.

5. With the above direction, the present writ petition is disposed off.

(A. Abhishek Reddy, J)

Ayush/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	16.08.2023.
Transmission Date	N/A

