

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7955 of 2023**

Subodh Kumar Bhagat@ Subodh Kumar Son of Jaleshwar Bhagat Resident  
of Village and P.O.- Muraul, P.S.- Pupri, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Rural Works Department, Government of Bihar, Patna.
3. The Engineer-in-Chief, Rural Works Department, Government of Bihar, Patna.
4. The Chief Engineer, Local Area Engineering Organization, Bihar, Patna.
5. The Superintending Engineer, Local Area Engineering Organization, Bihar, Patna.
6. The Executive Engineer, Rural Works Department, Works Division, Pupri, Sitamarhi.
7. The Executive Engineer, Local Area Engineering Organization, Works Division-2, Pupri, Sitamarhi.
8. The District Magistrate, Sitamarhi, District- Sitamarhi.
9. The District Planning Officer, Sitamarhi, District- Sitamarhi.
10. The Block Development Officer, Sursand, District- Sitamarhi.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Pushpendra Kumar Singh  
For the Respondent/s : Mr. Yogendra Prasad Sinha ( Aag 7 )

**CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY**  
**ORAL ORDER**

7      09-01-2024                      Heard the learned counsels for the parties.

The present writ petition has been filed for the  
following relief(s):-

*“(I) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities for payment of admitted dues of Rs. 10,00,061/- (Rupees Ten Lacs Sixty One only) to the petitioner for the work done by him for construction of P.C.C.*



*Road in village- Koari under Sursand Block from Transformer to the house of Rasnandan Thakur under Agreement No.10 of 2016-17 entered in between the petitioner Respondent no.7. and*

*(II) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the Respondent Authorities for payment of the aforesaid amount with interest on delayed payment on the ground that even though the petitioner had completed the work within the stipulated time as per the agreement and had raised his bills, the Respondents have not yet paid a sum of Rs.1,00,061/- to the petitioner which the petitioner had invested to complete the work after raising funds from the open market on interest.*

*(III) For issuance of any other appropriate writ/writs, order/ orders, direction/directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.”*

3. In the counter-affidavit filed by the respondent no.

7 at Para 12 & 17, it is stated as under;

*“That as per Measurement Book (Annexure-H) an amount of Rs. 10,00,061/- had been invested by the petitioner in completion of the scheme in question and hence allotment of such amount has been demanded from the District Planning Officer, Sitamarhi by the Executive Engineer, Local Area Engineering Organization, Works Division-2, Pupri, Sitamarhi vide Letter No. 1183 dated 22.06.2022 (Annexure-I) from the District Planning Officer, Sitamarhi.*

*That under the facts and circumstances mentioned in para 2, after release of fund against the scheme in question the amount invested by the petitioner will be paid to the petitioner at the earliest.”*

4. Having regard to the same, the District Planning



Officer, Sitamarhi (respondent no. 9) is directed to release the admitted dues to the Executive Engineer (respondent no. 7) so as to enable them to pay the admitted dues to the petitioner. The respondent no. 9 shall release the amounts due to the petitioner within a period of eight weeks from the date of receipt of a copy of this order and the respondent no. 7 shall pay the said amounts within a period of two weeks thereof.

5. With the above direction, the present writ petition stands allowed to the extent indicated.

(A. Abhishek Reddy, J)

Ayush/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

