

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12595 of 2023

Ram Vinay Kumar Son of Late Ram Sunder Mahto (Director, M/s Kamakhya Kaushalya construction Pvt. Ltd. At and P.O.- Punaura Dham, District- Sitamarhi), Ward No. 10, Resident of Village- Punaura Purvi, P.O. and P.S.- Punaura, District- Sitamarhi, Village- Punaura, P.O. and P.S.- Punaura, District- Sitamarhi, Bihar- 843302.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secreary, Rural Works Department, Govt. of Bihar, Visvesvaraya Bhawan, Bailey Road, Patna.
3. The Additional Chief Executive Officer cum Secretary, BRRDA, Rural Works Department, Govt. of Bihar, Patna.
4. The Executive Engineer, Rural Works Department, Work Division, Sitamarhi.
5. The Assistant Engineer, Rural Works Department, Work Division, Sitamarhi.
6. The Junior Engineer, Rural Works Department, Work Division, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Labh
For the Respondent/s : Mr.Vikash Kumar (SC 11)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 12-02-2024 1. Heard learned Counsel for the parties concerned.
2. The petitioner has filed the present writ application for seeking a direction to respondent no. 4 to pay the 4th and 5th year maintenance cost of Rs. 19,67,802/- to the petitioner against the work performed by him under contract agreement, annexed at Annexure 1 to the writ application.
3. Learned Counsel for the petitioner submits that the payment to the petitioner is not being made due to the fact that allotment has not been sent by the Department to



respondent no. 4-the Executive Engineer, Rural Works Department, Work Division, Sitamarhi.

4. Learned Counsel for the State submits that the Rural Works Department is examining and verifying the claims of the petitioner and if the same is found to be correct, further steps shall be taken in accordance with law.
5. In view of the specific stand taken by the respondents in the counter affidavit, I direct the respondent no. 2-the Principal Secretary, Rural Works Department, to verify the claim of the petitioner in accordance with law within a period of two months from the date of receipt of a copy of this order.
6. If the claim of the petitioner is found admissible, necessary steps shall be taken by the respondent nos. 2, 3 and 4 for payment in favour of the petitioner towards the 4th and 5th year maintenance cost.
7. With the aforesaid observation and direction, this writ application is disposed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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