

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12750 of 2024

Shiv Kumar Chanani, Son of Tulsi Ram Chanani, Resident of 301 Kokil Campus, Manna Singh Lane, North Sri Krishnapuri, Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Building Construction Department, Government of Bihar, Visheshwaraiya Bhawan, Bailey Road, Patna.
2. The Chief Engineer, Building Construction Department, Government of Bihar, Visheshwaraiya Bhawan, Bailey Road, Patna.
3. The Executive Engineer, Central Division, Building Construction Department, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anjani Kumar Jha, Adv.
For the Respondent/s : Mr. Government Advocate 5

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

2 13-11-2024 Learned counsel appearing on behalf of the petitioner has stated that though the petitioner has completed the works and submitted the final bills, the authorities are yet to pay the amounts due. Learned counsel has stated that the final bills were verified and prepared by the Department way back in the month of June, 2023 but till date the amounts have not been paid. Learned counsel has further stated that the petitioner has made a representation dated 10.04.2024 (Annexure 4) to the Respondent No. 3 by way of representation but the due amounts have not yet been paid. Learned counsel has therefore sought a direction from this Hon'ble Court to direct the Respondent No.



3 to consider the representation along with the documents i.e. the final bills prepared by the Department itself and pay the amounts due.

2. Learned counsel appearing on behalf of the respondents has stated that she has no objection if a direction is given to the authority concerned for considering the representation made by the petitioner strictly in accordance with law.

3. Without going into the merits or demerits of the case having regard to the fact that the petitioner has already made a representation dated 10.04.2024 (Anneaxure P/4) to the Executive Engineer, Central Division, Building Construction Department (Respondent No. 3) ventilating his grievance, the present writ petition is disposed of at the stage of admission with the consent of both the parties. The Respondent No. 3 shall consider the representation made by the petitioner as expeditiously as possible preferably within a period of eight weeks from the date of receipt of a copy of this order. The authority while considering the representation made by the petitioner shall duly take into consideration the final bills prepared by the Department. In case the claim made by the petitioner is found to be genuine, the Respondent No. 3 shall



make necessary arrangements for payment of the admitted dues.

In case the Respondent No. 3 comes to the conclusion that the claim made by the petitioner is liable to be rejected, he shall pass a reasoned orders giving the reasons for rejecting his claim.

4. It is needless to mention that before passing any order the petitioner shall be given an opportunity of hearing. Any order passed shall be communicated to the petitioner.

5. With the above directions, the present writ petition stands disposed off.

(A. Abhishek Reddy , J)

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