

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12402 of 2017

Subodh Kumar Singh Son of Dharendra Kumar Singh resident of village -
Korigama, P.O. Nimaithi, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Engineer-in-Chief, Building Construction Department, Government of Bihar, L A E O Vishweshwaraiya Bhawan, Building Construction Deptt., Govt. of Bihar, Patna
3. The Chief Engineer, L A E O Vishweshwaraiya Bhawan, Fourt Floor, Bailey Road, Patna.
4. The Superintending Engineer, L A F Work Division, Darbhanga.
5. The Executive Engineer, Central Laboratory, R W D, Darbhanga.
6. The Executive Engineer, L A E O Work Division I, Darbhanga DRDA Office, Campus, P.O. Laheriasarai,
7. The Executive Engineer Local Engineering Organisation, Work Division, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	M/s Ratan Kumar Kumar Ritambra Kumari Prasoon Kumar
For the Respondent/s	:	M/s Manoj Kumar Ambastha, SC 26 D.Vindo, AC to SC 26 Santosh Kumar Mishra, AC to SC26

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 12-05-2025

1. Heard the Learned counsel for the petitioner as well as the Learned counsel for the State.

2. The Writ petition has been preferred by the petitioner to direct the respondents to pay an amount of Rs. 4,02,877/- to the petitioner.



3. It appears that the petitioner had earlier approached the Court by filing CWJC No. 4461 of 2014 seeking for the same relief. The said writ petition was disposed of by a coordinate Bench of this Court vide judgment dated 11.01.2016 with the following observations:

“2. At the very outset learned counsel for the petitioner submits that according to the statement made in paragraph 5 of the counter affidavit the amount of the dues of the petitioner has already been passed by the Respondent and the same shall be paid immediately upon receiving the allotment and, as such the writ petition may be disposed of in the light of such statement.

3. Learned counsel for the Respondents has no objection to the same.

4. The writ petition accordingly stands disposed of.”

4. Learned counsel for the petitioner submitted that although the amount of dues had already been passed by the competent authority, payment could not be paid by the respondents due



to a general ban imposed by the State Government on withdrawal of funds after issuance of the cheque or payment order. Consequently, the petitioner has not received the payment till date.

5. In support of his claim, the petitioner has also placed on record a judgment dated 29.03.2010 passed by a co-ordinate Bench of this Court in **CWJC No. 2056 of 2008 (Sri Ganga Prasad Mishra vs. The State of Bihar)**, wherein a similar issue was dealt with.

6. Learned counsel for the petitioner prays that the present writ petition be disposed of in the similar terms as in CWJC No. 2056 of 2008 (supra).

7. Considering the facts and circumstances of the case, the writ petition is disposed of with liberty to the petitioner to file a fresh representation before the competent respondent authority for payment of the admitted dues, within a period of four weeks from the date of receipt of a copy of this order. Upon receipt of such representation, the concerned respondent is directed to consider and dispose of the same, and



ensure that the admitted dues are paid to the petitioner within a period of three months from the date of filing of the representation.

8. With the aforesaid directions and observations, the writ petition stands disposed of.

9. Interlocutory Application(s), if any, shall stands disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.05.2025
Transmission Date	

