

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23265 of 2018

=====

Raja Prasad Singh (Contractor) S/o Rajeshwar Singh R/o Village-
Rupanchhap, P.S Barauli, Dist- Gopalganj.

... .. Petitioner/s

Versus

1. The State Of Bihar, through the Principle Water Resources Department Secretary, Govt. of Bihar, Patna.
2. The Engineer in Chief, Water Resources Department Govt. of Bihar, Patna.
3. The Chief Engineer (Water - Resources) North Bihar, P.S. and District- Siwan.
4. The Superintending Engineer (Water Resources/Flood Control), Division- Thakaraha, Camp at Gopalganj P.S. and District- Gopalganj.
5. The Executive Engineer, (Flood Control), Division- Thakaraha, camp at Gopalganj, P.S. and District- Gopalganj.
6. The Assistant Engineer, (Flood Control), Division- Thakaraha, camp at Gopalganj, P.S. and District- Gopalganj.
7. The Junior Engineer (Flood Control), Division- Thakaraha, camp at Gopalganj, P.S. and District- Gopalganj.
8. The District Magistrate, Gopalganj. District- Gopalganj.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Harendra Prasad, Adv.
For the Respondent/s : Mr.Vinay Kriti Singh

=====

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 08-09-2025

1. The Writ petition is filed seeking a direction upon the concerned respondent to make payment of the petitioner's dues, for the work done by him in flood control, under the departmental agreement since 2012-13. Further direction is sought for release of the amount, which



is pending before the department.

2. The brief facts, as culled out from the Writ petition are that the petitioner entered into agreements with the Bihar Public Works Department vide Agreement Nos. 55F2 to 59F2-2012-2013, for a total sum of Rs. 5,63,000/- along with certain arrears claimed against respondent No. 5. The petitioner commenced the work in terms of the said agreement and completed the work within stipulated time. After completion of the work, he approached respondent No. 5 who assured him to make payment of Rs. 5,63,000/-. As no payment was released, the petitioner made representations before the respondent authority commencing from 04.07.2014 till 31.07.2018. In spite of such representations, no payments were made, for which the petitioner was constrained to file the present Writ petition.

3. Heard the Learned counsel for the petitioner and perused the record.

4. Upon perusal of the entire Writ petition, it is evident that the agreement entered



into between the petitioner and the respondent-Bihar Public Works Department, vide Agreement No. 55F2 to 59F2-2012-2013, have not brought on record. Annexure-1 to the Writ petition is merely a representation alleged to have been preferred by the petitioner on 04.07.2014. Further, there are three more documents alleged to be representations made by the petitioner, in which the dates appear to have been corrected from 04.07.2014 to 04.08.2015, 10.09.2016, and 22.06.2017. None of these representations contain any acknowledgment or receipt from the department. This Court is thus unable to ascertain whether the agreement contains any clause for reference of disputes before a tribunal or not? Furthermore, the pleadings also do not disclose anything about the disposal of the said representations by the authorities. The field measurement books or the measurements details are also not annexed with the Writ petition. This Court cannot adjudicate the matter, merely on the basis of the averments made in the affidavit



without any supporting documents. The record further reveals that the dispute pertains to the years 2012 and 2013, whereas the petitioner has approached this Court at a very belated stage, in the year 2018 by filing the Writ petition.

5. The Learned counsel for the petitioner submitted that during pendency of the Writ petition, the petitioner received some payments from the respondent authorities, and therefore, seeks liberty to approach the tribunal.

6. Therefore, this Court grants liberty to the petitioner to file an appropriate application before the tribunal for redressal of his grievances. Considering the fact, this Court is of the opinion that there is no merit in the Writ petition, and therefore, It is dismissed as devoid of merits.

(G. Anupama Chakravarthy, J)

AMANDEEP/-

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

