

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11583 of 2016

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Saraswati Devi Wife of Late Rajendra Singh R/o village- Bhairapur, Post P.S.
- Doriganj, District-Saran at Chapra

... .. Petitioner/s

Versus

1. The State Of Bihar through the Collector, Siwan
2. The Deputy Development Commissioner, Siwan
3. The Block Development Officer, Block-Siswan, District-Siwan

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Siddharth Harsh, Advocate
For the Respondent/s : Mr.Suman Kumar Jha, AC to AAG-3

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 24-01-2025

1. The Writ petition is filed for issuance of order or direction commanding the respondents to pay the dues under the several schemes under Sampurn Gramin Rojgar Yojna (for the sake of brevity SGRY) along with interest, for the works done by the husband of the petitioner in the year, 2007.

2. The brief facts culled out of the writ petition are that the husband of the petitioner was appointed as a Circle Inspector on 11.04.1985. In the year 2006-07, he was posted as the Circle Inspector in Block-Siswan,



District-Siwan, and was appointed as the agent responsible for implementing all four schemes under the SGRY. The husband of the petitioner completed all four works in the year, 2006-07 by expending huge amounts, and the measurement of those works was conducted by the competent authority in the year 2007 itself. The complete chart of the works done by the husband of the petitioner are as follows:

Scheme No.	Estimated Cost in Rs.	Measurement cost in Rs.	Paid amount in Rs.	Dues amount in Rs.
01/06-07	1,97,000/-	1,97,140/-	1,07,500/-	89,640/-
02/06-07	35,000/-	35,344/-	27,500/-	7,844/-
03/06-07	4,96,000/-	4,96,196/-	2,57,500/-	2,38,696/-
10/06-07	4,22,000/-	4,23,913/-	2,57,500/-	1,66,413/-

It is specifically mentioned in the Writ petition that the copies of the Measurement Book are not attached, as they were bulky in nature.

3. It is contended by the Learned counsel for the petitioner that, according to the details provided by the petitioner, an amount of Rs. 5,02,593/- is still due to the husband of the petitioner. The husband of the petitioner



passed away while was in service i.e. on 25.01.2016, leaving behind the petitioner and four dependent children. During the lifetime, the husband of the petitioner had made a representation on 04.08.2015, claiming for the remaining amount due, i.e., Rs. 5,02,593/-, which has not been paid by the respondents. The petitioner was constrained to approach this Court, for the admitted dues of her husband, as the respondents have not paid the due amount till date and, therefore, prays to allow the writ petition.

4. A detailed counter affidavit was filed by respondents No. 1 to 3, admitting the work done by the husband of the petitioner. However, the counter affidavit discloses that the claim regarding the scheme was not traceable in the Block office. Accordingly, the Block Development Officer, Siwan, vide letter No. 1058 dated 28.12.2018, requested the Incharge Police Officer, Siwan, to register the Sanha. Further the Deputy Development Commissioner, Siwan vide letter No. 1059 dated 28.12.2018, was informed about the facts and



developments by the Block Development Officer and he requested to measure the work done under the schemes in question.

5. As per the directions of the Deputy Development Commissioner, Siwan, fresh measurement was carried out, by the Assistant Engineer in the presence of the Block Development Officer, Siwan, to ascertain the correctness of the claim. The measurement book prepared by the Assistant Engineer disclose that the work done by the petitioner’s husband varies from the petitioner’s claim. Based on the fresh measurement, the respondents are ready to pay the balance dues if any which are as follows:

Scheme No.	Advance Payment (Rs.)	Measurement Cost (Rs.)	Balance
01/06-07	1,07,500/-	1,07,217/-	-283/-
02/06-07	27,500/-	27,632/-	+132/-
03/06-07	2,57,500/-	2,56,431/-	-1,069/-
10/06-07	2,57,500/-	2,53,189/-	-4,311/-

6. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents. Perused the entire record.



7. Upon perusal of the record it is evident that, the admitted dues, as stated by the petitioner, vary significantly from the amounts mentioned by the respondents. Furthermore, a reply to the counter affidavit was filed, and copies of the Measurement Books were annexed to the reply affidavit. Therefore, this Court is of the considered view, that if the copies of the Measurement Books are available with the petitioner, they may be produced before the concerned respondents. In turn, the respondents shall pass appropriate orders, based on the copies of the Measurement Books produced by the petitioner.

8. Accordingly, the petitioner is directed to approach the concerned authority with a proper representation along with copies of the Measurement Books and the respondents shall pass an appropriate order, considering the copies of the Measurement Books, within a period of four months from the date of filing the representation.



9. With the aforesaid observation, the Writ
petition is disposed of.

(G. Anupama Chakravarthy, J)

vinita/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.02.2025
Transmission Date	

