

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25062 of 2019

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Rajendra Prasad S/o Late Bandhu Sao, Resident of Mohalla- Panchu, P.S.-
Hisua, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Engineer, Minor Water Resources Department, Patna.
3. The District Magistrate, Nawada.
4. The District Development Commissioner (In-charge Officer Integrated Action Plan).
5. The Superintending Engineer (Minor Water Resources), Gaya.
6. The Executive Engineer (Minor Irrigation Division), Nawada.
7. The Assistant Engineer (Minor Irrigation Division Govindpur Camp Rajauli), Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Respondent/s : Mr.Sudhanshu Shekhar, AC to SC-24

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 27-01-2025

1. The Writ petition is filed for issuance of appropriate direction to the respondents for making the balance payment to the petitioner for the contract work done by him vide Agreement No. 01F2/14-15 in Block-Pakribrawan for Dhmoul Ahar-Payin irrigation Yojana, along with interest and also for grant of consequential or incidental relief, if any.

2. During course of argument, the petitioner made a limited prayer to direct the respondents to dispose of the



representation made by the petitioner vide Annexure-4 dated 26.08.2019.

3. It is specific contention of the Learned counsel for the petitioner that he has executed the works as per the Agreement No. 01 F2/14-15 in the aforesaid place and the respondent is liable to pay a total amount of Rs. 96,86,017/-. However, he received a payment of Rs. 78,72,408/- but has not received the balance amount of Rs. 17,13,509/-. It is further contended by the Learned counsel for the petitioner that he has made a representation vide Annexure-4, which is still pending before the authorities and therefore, sought a relief to direct the respondent to dispose of the representation.

4. On the other hand, the Learned counsel for the respondents contended that a detailed counter affidavit was filed by the respondent Nos. 2 to 7, wherein at para 6, it is specifically mentioned that the petitioner did not complete the entire work as per the agreement within the stipulated time and used poor quality materials, and therefore, he is not entitled to the balance amount.



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

6. On perusal of the record, it is evident that, for the non-payment of balance amount, the petitioner has made a representation vide Annexure-4 which is still pending before the respondents. Therefore, the respondents are directed to pass an appropriate order on the representation made by the petitioner.

7. With the aforesaid observation, the Writ petition is disposed of directing the respondents to pass an appropriate order by considering all the records available with them within a period of three months from the date of receipt of this order.

(G. Anupama Chakravarthy, J)

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CAV DATE	
Uploading Date	04.02.2025
Transmission Date	

