

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17438 of 2023

Shiv Kumar Singh Son of Late Ramashankar Singh, Resident of Village-
Ramgarha, P.S.- Garkha, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Minor Irrigation Department, Govt. of Bihar, Patna.
2. The District Magistrate, Saran at Chapra.
3. The Chief Engineer, Minor Irrigation Zone, Muzaffarpur.
4. The Superintending Engineer, Minor Irrigation Circle, Chapra.
5. The Executive Engineer, Minor Irrigation Division, Chapra, Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Adv.
For the Respondent/s : Mr. Vikash Kumar (Sc 11)

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

3 23-01-2025 Heard the learned counsel for the parties.

2. This writ petition has been filed for the following

relief(s):-

“(i) For directing the respondents particularly respondent No. 5 to pay the admitted dues amounting to Rs. 2,83,643/- arising out of Agreement No. 01F2/2019-20.

(ii) For directing the respondents to pay the statutory interest over the delayed payment of admitted dues.”

3. Learned counsel for the petitioner has stated that though the petitioner has completed the work wayback in the year 2019 and submitted the bills, only a part of the amount was



paid and an amount of Rs. 2,83,643/- is still due to be paid. Learned counsel has stated that the official respondents in their counter affidavit more specifically at Para 6 and 7 have stated as under:-

“6. That it is stated further that as per the entries made in the measurement book, the first measurement of the work was done on 24.01.2020 and the petitioner was paid Rs.9,19,408/- through 1st on account bill. The second measurement was done on 07.03.2021 and 2nd on account bil was passed on 13.03.2021 for Rs.2,83,643/- but the said amount could not be paid to the petitioner due to paucity of fund.

7. That it is stated that the Executive Engineer, Minor Irrigation Division, Chapra has sent requisition to the Minor Water Resources Department, Bihar, Patna vide letter No. 1134 dated 12.12.2023 for allotment of fund of Rs.2,83,643/- payable to the petitioner.”

4. Having regard to the above, the respondents are directed to make the necessary payments to the petitioner as expeditiously as possible preferably within a period of eight weeks from the date of receipt of the copy of this order. In case the authorities do not pay the amount due to the petitioner in accordance with the time given by this Court, the petitioner will



be entitled to simple interest rate at the rate of 8% per annum
from the date of submission of the bills till the actual payment.

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

(A. Abhishek Reddy , J)

Gauravkr/-

U			
---	--	--	--

