

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3328 of 2015

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Arun Kumar Sinha Son of Sri Parmanand Singh, resident of village Terma, P.S.
Parsa Bazar, District Patna.

.... Petitioner

Versus

1. The Bihar State Building Construction Corporation Limited, Patna through its Managing Director, Patna.
2. The Dy. General Manager, Bihar State Building Construction Corporation Limited, Patna.
3. The District Magistrate/Collector, Bhojpur, Ara.
4. The Officer on Special Duty, Bhojpur Collectorate, Ara.

.... Respondents

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Appearance :

For the Petitioner : M/s. Gajendra Kumar Jha and
Sushil Kumar Jha, Advocates

For the State : Mr. Sanjeet Kumar Singh, A.C. to A.A.G.10

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 17-03-2015

Heard learned counsel for the petitioner and the State.

It is contended on behalf of the petitioner that in response to the notice inviting tender issued by Bihar State Building Construction Corporation Ltd., the petitioner submitted his offer for installing water proof Pandal, chair, table, generator etc. for the purpose of Sena Bharti Rally which was to be held from 11.1.2014 to 22.1.2014. The offer of the petitioner was accepted and accordingly work order was issued. The work concerned, however, was re-scheduled. The petitioner claims to have completed the work to the satisfaction of the authorities and submitted his bill for a sum of

Rs.10.79 lacs + Rs.53.986 for one extra day. Out of the said amount, a sum of Rs.5.37 lacs has already been paid to the petitioner but the remaining amount of Rs.5.42 lacs and in addition Rs.53,986/- is still to be paid.

Learned counsel draws attention towards Annexure-5 which is a letter dated 16.2.2014 written by the Deputy General Manager, Bihar State Building Construction Corporation Ltd. addressed to the District Magistrate, Bhojpur at Ara requesting for release of a sum of Rs.10,79,717/- payable to the petitioner. Even then, it is claimed that the Collector has not released the balance amount.

In the aforementioned background of the matter, this writ application is being disposed of with a direction to the respondent no.3, i.e., the District Magistrate/Collector, Bhojpur, Ara to consider the claim of the petitioner in view of Annexure-5 and release necessary fund if dues are admitted. Thereafter, the respondent no.2, i.e., the Deputy General Manager, Bihar State Building Construction Corporation Ltd., Patna would take necessary steps for payment to the petitioner.

It is expected that the District Magistrate will take such decision and required action within a period of four weeks from the date of receipt/production of a copy of this order. If the dues are

admitted and fund is released then the respondent no.2 would also take steps for payment of the same to the petitioner, if he is entitled for the same, within a further period of three weeks.

(Dr. Ravi Ranjan, J)

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