

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20044 of 2013

Ranvijay Kumar, Sri Narsingh Prasad, M.D. Ranvijay Kumar Builder Pvt. Ltd.,
Vill. and P.O.- Paijuna, P.S.- Ghoshwari, Distt.- Patna

..... Petitioner

Versus

1. State of Bihar, through Secretary, Building Construction Department, Govt. of Bihar, Patna
2. Secretary, Building Construction Department, Govt. of Bihar, Patna
3. Chief Engineer, Building Construction Department, Govt. of Bihar, Patna
4. Superintending Engineer, Local Area Engineering Organization, Work Division-1, Patna
5. Executive Engineer, Local Area Engineering Organization, Work Division- 1, Patna
6. Assistant Engineer, Local Area Engineering Organization, Work Division-1, Patna.

..... Respondents

Appearance:

For the Petitioner : Mr. Ram Vinay Prasad Sinha @ Sanjay,
Advocate
For the Respondents: Mr. Subhash Chandra Mishra, SC 16

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT
Date: 19-08-2016

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. I.A. No. 6541 of 2016 has been filed with prayer for directing the respondent authorities to refund the security deposit of Rs. 2,82,000/- to the petitioner.

3. With the consent of the parties, the main writ petition itself, which has been filed for issuance of a fresh letter for executing the agreement for the subject contract work after enhancing the schedule rates, is being disposed of at the admission stage.

4. Learned counsel for the petitioner at the very outset refers to para 4 of the aforesaid interlocutory application to state that the work in question is now on the verge of completion and as such no

purpose would be served in pursuing the relief sought in the main writ petition. The relief is accordingly not being pressed.

5. In that view of the matter, the main prayer with regard to execution of the work is dismissed as not pressed.

6. As regards the claim for refund of the security deposit, this Court is of the view that the ends of justice will be met if the petitioner is granted liberty to approach the Superintending Engineer, Local Area Engineering Organization, Work Division I, Patna (respondent no. 4) with an appropriate representation in this regard within two weeks from today. If any such representation is filed within the stipulated time, the respondent no. 4 shall consider and dispose of the same in accordance with law after grant of an opportunity of hearing to the petitioner, expeditiously and preferably within a further period of three months thereafter.

7. The writ petition stands disposed of with the aforesaid observations and directions.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	23.08.2016
Transmission Date	N.A.