

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15235 of 2015

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Maheshwar Prasad Singh (Mukhia) S/o Palakdhari Singh R/o Vill. - Mandaidih,
P.S. Patepur, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Works Department, Bihar, Patna
2. The Secretary, Rural Works Department, Vishwasarays Bhaban Patna
3. The Vigilance Department Govt. of Bihar
4. The District Magistrate, Vaishali Cum District Level MMGSY Steering Committee
5. The Engineer in Chief (In Charge) Vigilance Technical Examination Cell, Bailey Road, Patna
6. The Engineer in Chief Rural Works Department Vishwaisawaraiys Bhaban Patna
7. The Superintending Engineer, Rural Works Department, Muzaffarpur
8. The Executive Engineer, Rural Works Department Mahua, Vaishali
9. The Assistant Engineer, Rural Works Department Mahua/Patepur, Vaishali
10. The Junior Engineer, Rural Works Department Patepur (Vaishali)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Shankar Das, Advocate
For the Respondent/s : Mr. S.D. Yadav, AAG-IX

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 18-11-2016

Heard learned counsel for the parties.

2. The grievance of the petitioner in the present writ petition in Public Interest is construction of work, particularly in respect of quality and standardization as specified in the State Government. The grievance is that quality material is not being used in the construction of the road and the petitioner has approached this

Court as a resort to protect the rights of the citizens who shall use the road in question.

3. The Rural Works Department of the State has decided to construct public road from Mandaidih Tinhi School, Salempur to Salkhani falling under Mandaidih Panchayat of Patepur Block. The petitioner has claimed that because of poor quality of the works, the payment of the contractor should be stopped which has been granted to one M.K. Construction Pvt. Ltd. The work was to be completed up to 7th of April, 2016.

4. In the counter affidavit filed by Engineer-in-Chief, Rural Works Department, Government of Bihar, it is stated that the Principal Secretary, Rural Works Department, considering the allegation of irregularities and illegalities pointed out by the petitioner, directed the Engineer-in-Chief to hold enquiry in the matter. The Engineer-in-Chief has constituted a committee under the Chairmanship of Shri Chandra Shekhar Sahu vide office order dated 31st of December, 2015 and said committee has been directed to submit the enquiry report within next 20 days.

5. Learned Counsel for the petitioner submits that the road has since not been completed. On the other hand, Learned State Counsel has no instructions as to the extent of construction completed. However, the fact remains that the Engineer-in-Chief has

constituted a committee to examine the irregularities and illegalities pointed out by the petitioner.

6. Therefore, we have no doubt that the respondent shall consider and examine the complaints raised by the petitioner in accordance with law. No further orders are called for in the present writ petition.

7. The writ petition is accordingly dismissed.

(Hemant Gupta, ACJ)

(Vikash Jain, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
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