

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11069 of 2014

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Arjun Ram, son of Late Kallu Ram, resident of behind of the State Bank of India
I.T.I. Digha, Patna, District- Patna, Presently posted as Junior Engineer, Vaishali
Bhawan Division Hajipur District- Vaishali Petitioner

Versus

1. 1. The State of Bihar, through the Secretary, Building Construction Department, Bihar, Patna
2. The Additional Secretary, Building Construction Department, Bihar, Patna
3. The Joint Secretary, Building Construction Department, Bihar, Patna
4. The Under Secretary, Building Construction Department, Bihar, Patna
5. The Engineer-in-Chief-cum-Additional Commissioner-cum-Special Secretary, Building Construction Department, Bihar, Patna
6. The Secretary, The Engineer-in-Chief, Building Construction, Bihar, Patna
7. The Special Work Officer-cum-Chief Vigilance Officer, Patna
8. The Superintending Engineer, South, Bihar Circle, Building, Patna
9. The Executive Engineer, Patna Building Division, Patna

.... .. Respondents

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Appearance :

For the Petitioner : Mr. Arun Kumar Singh, Advocate

For the Respondents : Mr. HARISH KUMAR, GP 8.

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 01-12-2017

Attention of the Court has been drawn to the order dated 27.1.2014, passed in C.W.J.C.No. 832 of 2012, filed by the petitioner earlier in respect of the same proceeding. The Court remitted the matter back to the respondents to consider the matter in accordance with law. Counsel for the petitioner has placed on record the speaking order dated 19.6.2014, passed by the Engineer in chief cum Additional Commissioner cum Special Secretary, Department of Building Construction, Bihar (respondent no.5). Respondents have placed on record the counter affidavit in which



they have submitted that the irregularities were found in the road construction work whereupon enquiry report was obtained from the technical experts and after giving due opportunity to the petitioner and on consideration of his reply and in compliance of order dated 27.1.2014, passed in C.W.J.C.No. 832 of 2014, speaking order has been passed by respondent no.5.

This Court while exercising its writ jurisdiction, cannot go into the merits of the allegations and the findings as the judicial review under Article 226 of the Constitution of India is confined to the decision making process. Counsel for the petitioner is unable in highlighting any infirmity in the process adopted by the authorities or to otherwise assail the impugned order.

In view of the aforesaid discussions, the writ petition is dismissed.

(Madhuresh Prasad, J)

Shashi.

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CAV DATE	NA
Uploading Date	
Transmission Date	

