

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9046 of 2016

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M/s Savitri Electric, through its Proprietor, namely, Savitri Devi, wife of Shri Mahendra Prasad Yadav resident of Mohanpur Punaichak, Near Devi Mandir, Police Station- Shastrinagar in the town and district of Patna.

.... Petitioner

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Building Construction Department, Government of Bihar, Patna.
3. The Chief Engineer (Electrical), Building Construction Department, Bihar, Patna.
4. The Electrical Superintending Engineer, Electric Works Circle, Building Construction Department, Patna.
5. The Electrical Executive Engineer, Electric Works Division No.2, Building Construction Department, Patna.
6. Shri Bipin Kumar, Son of not known to the petitioner, presently posted as Assistant Electrical Engineer, Electric Sub- Division, Gulzarbagh, Building Construction Department, Patna.
7. Shri Rajnikant Singh, Son of not known to the petitioner, presently posted as Electrical Junior Engineer, Electric Sub- Division, Gulzarbagh, Building Construction Department, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Singh

For the Respondent/s : Mr. Subodh Kumar Mishra, A.C. to G.P.-14

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 17-02-2017

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

2. In this case, the petitioner is seeking relief of mandamus, commanding and directing the respondents to take



measurement of the work already completed within the stipulated period of two months as directed in the Work Order dated 10.11.2015 as contained in Letter No.1774, for which the respondent No.5 has entered into an agreement vide agreement No.75 F2/2015-2016 on 10.11.2015.

3. As per the claim of the petitioner he is a registered electrical contractor in the name and style of M/S/ Savitri Electric listed contractor of the department of Building Construction, executed the work without any adverse remark. The petitioner was allotted the work of S/R and remodeling with provision of Copper Cond to E.I. in S.C. residential School Building of Noubatpur Piplawan at Patna and for that he has entered into an agreement as aforesaid. As per the claim of the petitioner, he has completed the work in time and always requesting the authorities to take measurement of the work and pay the dues, but even after long period and repeated request, the respondents have turned deaf ears and refused to take measurement of the work.

4. Let the Chief Engineer, (Electrical), Building Construction Department, Bihar, Patna, examine the claim of the petitioner and give direction to his subordinates for the



measurement of the work done by the petitioner. For convenience, the petitioner is directed to file a proper representation before the Chief Engineer, (Electrical), Building Construction Department, Bihar, Patna, who will consider the representation of the petitioner and take appropriate decision in accordance with law. If it is found that the petitioner has completed the work as per the specifications of the terms of the agreement, it goes without saying that the admitted amount, which is petitioner is entitled to, will be paid to him without unnecessary delay. The entire exercise will be completed by the Chief Engineer, (Electrical), Building Construction Department, Bihar, Patna within a period of three months from the date of filing of representation by the petitioner.

5. With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	18.02.2017
Transmission Date	N/A.

