

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1364 of 2019

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Manoj Kumar, Late Dinesh Singh, Resident of Village- Kamta, P.O.-
Hathiyawan, P.S.- Shekhpura, District- Shekhpura

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna
2. The District Magistrate, Nawada
3. The Superintending Engineer, Bihar Urban Development Agency, Urban Development and Housing Department, Govt. of Bihar, Patna
4. The Executive Engineer, District Urban Development Agency, Nawada
5. The Executive Officer, Nagar Panchayat, Warsaliganj, Nawada

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shambhu Nath, Adv.
For the Respondent/s	:	Mr.R.K.Singh, AC to AAG7.
For the Respondent No.5:	:	Mr.Krishna Kant Tiwari, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-01-2019 It is surprising that the State respondents came out with a notice inviting tender bearing NIT No.01/2014-15 for construction work of Administrative Building of Nagar Panchayat, Warsaliganj, District-Nawada and pursuant thereto the petitioner has been awarded contract as is being claimed by him, but the work could not be started because the land on which the Administrative Building is to be constructed has not been transferred to the Nagar Panchayat, Warsaliganj.

The grievance of the petitioner is that on the one hand the State respondents have kept his earnest money deposits for last five years and at the same time they are not taking any



decision with respect to transfer of the land for construction of the Administrative Building of Nagar Panchayat, Warsaliganj. Some correspondences in form of Annexures 2, 3 and 4 in the writ application have been brought on record to demonstrate that the matter is hanging between the office of the Executive Officer, Nagar Panchayat, Warsaliganj, Nawada, the District Magistrate and the Principal Secretary, Urban Development and Housing Department, Government of Bihar.

Learned counsel for the State as well as Nagar Panchayat, Warsaliganj are present.

In the given facts and circumstances of the case, this Court would direct the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna to look into the matter, examine the materials available on the record and take an appropriate decision thereon within a period of 90 days from the date of receipt/production of a copy of this order. If it is found that the land is required to be transferred to the Nagar Panchayat for construction of Administrative Building of the Nagar Panchayat, Warsaliganj, Nawada he will ensure that such transfer takes place within a maximum period of four months from the date of his order, in case it is found that the land cannot be transferred, a decision in that respect be also



taken and communicated to all concerned including the petitioner and in such circumstance, the Principal Secretary shall direct refund of the earnest money deposit of the petitioner with interest at the rate of 6% per annum from the date of deposit/payment.

The application is disposed of accordingly.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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