

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5776 of 2019

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M/S Choudhary Project Private Limited A Company Registered under Companies Act 1956, having office at Vill.- Patory, P.O.- Patory, Distt.- Darbhanga, Bihar its managing director Ranjan Kumar Choudhary

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors through the Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary Rural Works Department, Govt. of Bihar, Patna
3. The Principal Secretary Department of Finance, Govt. of Bihar, Patna
4. Deputy Secretary Rural Works Department, Govt. of Bihar, Patna
5. The Engineer-in-Chief Rural Works Department, Govt. of Bihar, Patna
6. The Executive Engineer Rural Works Department, Darbhanga Division, Darbhanga
7. The Executive Engineer Rural Works Department, Darbhanga Division, Darbhanga

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prem Kumar, Advocate
For the Respondent/s : Mr. Kumar Alok (SC 7)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 02-12-2019

The petitioner has approached this Court for a direction to the respondents to make available to him the dues amount which has accrued because of the firm of the petitioner having completed the contract work allotted to him.

From the records, it appears that the petitioner being the successful bidder was allotted the work of



construction and five year maintenance of a road under the PMGSY (PWD) Programme. Though the work of construction was slightly delayed but it was completed and annual maintenance also was provided by the petitioner.

However, on account of a complaint by District Secretary of CPI (ML), Darbhanga about some irregularities having been committed in the construction and maintenance of the road, an enquiry was initiated which is still pending. This appears to be the reason for non-payment of dues of the petitioner.

The counter affidavit clearly indicates that no sooner the report of the enquiry would be submitted, the petitioner shall be paid the dues amount.

In view of the stand taken by the petitioner, this writ petition is disposed of with a direction to conclude the enquiry as early as possible, preferably within a period of three months of the receipt/production of a copy of this order before the concerned respondent.



If it is found that the allegations are baseless and that the petitioner cannot be faulted on any score, necessary sequel order of releasing the funds for making payment of the dues of the petitioner shall also be passed forthwith.

With the aforesaid direction/observation, the writ petition stands disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.12.2019
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