

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11664 of 2018

Manoj Kumar Mishra, S/o Late Surendra Mohan Mishra, Resident of Village-
Gogri, P.O.- Gogri, District- Khagaria.

... .. Petitioner

Versus

1. The State Of Bihar
2. Principal Secretary, Road Construction Department, Bihar, Patna.
3. The Principal Secretary, Vigilance Department, Patna.
4. The CMD, Bihar State Pul Nirmal Nigam Ltd., Patna, Bihar.
5. The District Magistrate, Khagaria.
6. Engineer in Chief, Road Construction Department, Bihar, Patna.
7. Chief Engineer, NH (RCD), Bihar, Patna.
8. Superintending Engineer, National Highway Circle, Bhagalpur.
9. Executive Engineer, National Highway Division, Khagaria.
10. Assistant Engineer, National Highway, Sub Division Maheshkhunt, District-
Khagaria.
11. Junior Engineer, National Highway, Division Maheshkhunt, District-
Khagaria.
12. S.P. Singla Construction Pvt. Ltd., through its Chairman cum Managing
Director, 47 Sector- 9, Panchkula – 134113, Haryana.
13. MC Consulting Engineer (P) Ltd., Authority Engineer, NH, Bihar, Patna
Office-Flat No.601, 6th Floor, Sumati Palace, Near Boring Chauraha, Patna –
800013, Head Office – C-1, 2nd Floor, Office No. Mahaluxmi Square, Abhay
Khand-II, Indirapuram, Ghaziabad, U.P.-201010

... .. Respondents

Appearance :

For the Petitioner : Mr. Rajesh Sinha, Adv.
For the Respondents : Mr. Raj Ballabh Pd.Yadav, AAG-11

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 23.06.2018 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned



counsel for the respondents.

Petitioner has prayed for the following reliefs:

“(i) For issuance of writ of Mandamus, commanding the respondents concerned to complete the B.P.Mandal Bridge at Dumri in Khagaria district at the earliest, as the bridge remains incomplete even much after the prescribed period of completion, causing great hardship to the commuters.

(ii) For directing the respondent no. 3 to institute a vigilance case against the respondent no. 12, the contractor in-charge of completing the bridge for misappropriating and sale of the salvage material obtained upon the dismantling the bridge.

(iii) For directing the respondents to institute an enquiry against the contractor for unreasonable delay in completing the bridge as well as the change of methodology used in dismantling the bridge which is inconsistent with the contract agreement, causing pollution to the river and environmental hazards.

(iv) For commanding the respondents to institute an FIR against the contractor for theft of salvage materials obtained after dismantling of the old bridge.

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt



of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

P.K.P./-

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