

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6242 of 2020

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Kashish Developers Limited Registered Office at -87 Old AG Colony, Kadru, Ranchi, Jharkhand-834002, Local Address at-201, Kamla Sadan Apartment, Punai Chak, District-Patna, through Mukesh Kumar, aged about 45 years, Gender-Male, Son of Sri Mukut Prasad Rao, Resident of 171, Mushahari, Bijbaniya, P.S.-Lauriya, West Champaran, District-West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary-cum-Commissioner, Building Construction Department, Government of Bihar, Patna.
2. The Engineer-in-Chief-cum-Additional Commissioner-cum-Special Secretary, Building Construction Department, Government of Bihar, Patna.
3. The Chief Engineer, Building Construction Department, Government of Bihar, Patna.
4. The Superintending Engineer, Building Division, Katihar, Building Construction Department, Bihar, Patna.
5. The Executive Engineer, Building Division, Katihar, Building Construction Department, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar
For the Respondent/s : Mr.Lalit Kishore (AG)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard the parties.

Following relief(s) have been sought for by the
petitioner in the present writ application:

“1(i) For issuance of direction to the



respondent authorities to grant time extension to the petitioner in writing and also release the amount of 10% of the bill deducted on account of time extension, which is approx. Rs. 1.61 Crore.

(ii) For issuance of direction to the respondent authorities to release Rs. 5.08 Crore of the petitioner company deducted from each and every bills as security deposit.

(iii) The petitioner also prays for grant of escalation of Rs. 3.15 Crore to the petitioner urgently so that the balance work of construction of Katihar Engineering College, Katihar be completed at the earliest.

(iv) The petitioner further prays to issue direction to the respondent-authorities to revise the rate of the material and labour cost as the petitioner is being paid its bill on older rate of the year 2013 and thereafter the petitioner company is entitled for revised rate as per the government rate decided in the year 2018.

It has been submitted on behalf of the petitioner that the petitioner may be granted a liberty to make/file a fresh representation before the respondent no. 4 i.e. the Superintending Engineer, Building Division, Katihar (Building Construction Department), Bihar Patna for redressal of his



grievances.

Considering the submissions advanced on behalf of the petitioner, the petitioner is directed to make/file a fresh representation before the respondent No. 4 for redressal of his grievances.

In case, any such representation is filed/made by the petitioner, the respondent no. 4 i.e. the Superintending Engineer, Building Division, Katihar (Building Construction Department) Bihar, Patna shall consider the same and pass an appropriate order, in accordance with law, within a period of four months, from the date of filing/making of such representation. The respondent No. 4 shall be under obligation to make payment of admitted dues, if any, of the petitioner.

With the aforesaid observation and direction, the present writ application stands disposed of.

(Sudhir Singh, J)

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