

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18018 of 2017

Sahdeo Ram S/o Late Sohar Ram R/o Village - Pasiyakala, P.S.- Akbarpur,
District - Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Principal Secretary, Rural Works Department, Govt. of Bihar, Vishweshwaraiya Bhawan, Patna.
3. The Secretary, Rural Works Department, Govt. of Bihar, Vishweshwaraiya Bhawan, Patna.
4. The Additional Secretary, Rural Works Department, Govt. of Bihar, Vishweshwaraiya Bhawan, Patna.
5. The Engineering-in-Chief, Rural Works Department, Govt. of Bihar, Vishweshwaraiya Bhawan, Patna.
6. The Chief Engineer, Rural Works Department, Govt. of Bihar, Vishweshwaraiya Bhawan, Patna.
7. The Superintending Engineer, Rural Works Department, Rajauli Division, Nawada.
8. The Executive Engineer, Rural Works Department, Rajauli Division, Nawada.
9. The Assistant Engineer, Rural Works Department, Akbarpur Section Rajauli, Nawada.
10. The Junior Engineer, Rural Works Department, Akbarpur Section Rajauli, Nawada.
11. The Internal Finance Advisor, Rural Works Department, Govt. of Bihar, Patna.
12. The Accountant General A and E, Bihar, Patna.
13. Vinay Construction through its working partner Ram Naresh Singh Yadav S/o not known Ram Nagar, Nawada, P.O. P.S. District - Nawada.
14. Sri Anil Singh, M.L.A. S/o Late Ram Sharan Singh M.L.A. Hisua Constituency, Nawada, P.O. P.S. - Hisua, District - Nawada.

... .. Respondent/s



Appearance :

For the Petitioner/s : Mr.Dshirendra Kumar Trivedi
For the Respondent/s : Mr.Pushkar Narayan Shahi - Aag- 6

**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER**

(Per: HONOURABLE THE CHIEF JUSTICE)

5 24-02-2020 Despite repeated calls, none has entered appearance
on behalf of the petitioner.

Petitioner has prayed for following reliefs:-

“(i) For the issuance of writ in the nature of certiorari for an appropriate writ/writs, order/orders, direction/directions for quashing of the letter dated 02.08.2017 as contained in Annexure-4 issued under the signature of respondent no.4j to the Accountant General (A & E), Bihar Patna (Respondent no,12) by which through a correction letter he has changed the construction site of the approved and sanctioned bridge to be constructed between mandaini to Pashiya Kala village over Khuri River under Akbarpur Block of Nawada district to another village Pashiya Khurd after preparation and approval of D.P.R., publication of notice inviting tenders, after finalization of tender, and award of work to the successful bidder and execution of work agreement which is wholly against the well settled principle of law and against the Public Interest, amounting to misuse and misappropriation of public money.

(ii) And also be further pleased to issue a writ in the nature of mandamus or an appropriate writ/writs, order/orders direction/directions commanding the respondents to construct the



bridge in question strictly at the place/village for which initially it was selected for construction, for which Detaqil Project Report (D.P.R.) was prepared, submitted and approved, notice inviting tender was published, bid was held and finalized, the successful bidder was awarded and allotted the work and agreement for the same was made with the successful bidder, thereafter by issuing a correct slip the place of construction site of the bridge in question is not permissible to be changed to another place due to extraneous reasons and malafide intention or on any political pressure or whatsoever reasons may be .

(iii) And for further pleased to pass such other order/orders which may be deemed fit and proper in the fact and circumstances of the case.

From the counter affidavit, and especially from the averments made in paragraph Nos. 15, 16 and 17, it is evident that now action has been taken for construction of the bridge at the appropriate place originally mentioned in the project report.

We hope and expect the construction work to be completed at the earliest and bridge opened for public use.

We direct the Principal Secretary, Rural Works Department, Government of Bihar, and Respondent Nos. 1, 2 and 3 to personally supervise and ensure early completion of the public works.

Liberty reserved to the petitioner or any other public spirited person to take recourse to such remedies as are available



in law, including approaching this Court by filing a separate writ petition.

This writ petition stands disposed off in the aforesaid terms.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv/-

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