

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 5386 of 2021

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Dinesh Paswan S/o Late Lakhindar Paswan R/o Ward No.- 10, Mathurapur,
P.S.- Maniyari, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Bihar Public Works, Bihar, Patna.
2. The Secretary, Building Construction Division, South Bihar, Bihar, Patna.
3. The District Magistrate, Muzaffarpur.
4. The Superintending Engineer, Building Division, Muzaffarpur.
5. The Executive Engineer, Building Division, Muzaffarpur.
6. The Accountant, Building Division, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate
For the Respondent/s : Mr. Upendra Pratap Singh (AC to SC 4)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 23-09-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

The present writ petition has been filed seeking the following reliefs :-

“(i) To issue an appropriate order/s, direction/s including a writ preferably in the nature of Mandamus commanding and directing upon the respondents to make the



payment of admitted dues of the petitioner amounting to Rs. 4,50,319/- (Rs. Four lacs fifty thousand three hundred and Ninety only) in lieu of works completed by the petitioner within time against contract agreement no. 116-F2/2017-18 for repair of septic tank of different ward in the campus of S.K.M.C.H. at Muzaffarpur for the year 2017-18.

(ii) To direct the respondents to make the payment of aforesaid admitted dues of the petitioner hence forthwith which has been wrongly and illegally withheld by the respondents.

(iii) To direct the respondents to make the payment of penal interest on the aforementioned dues to the petitioner on account of delay and laches on the part of the respondents.”

The learned counsel for the petitioner, at the outset, seeks liberty to approach the respondent no. 5 for redressal of his aforesaid grievances.

The learned counsel for the respondent- State Ms. Pushpanjali Sharma (AC to SC 20) has got no objection.

Accordingly, the present writ petition stands disposed of as not pressed, however with liberty to the petitioner to file



appropriate representation before the respondent no. 5 i.e. the Executive Engineer, Building Division, Muzaffarpur regarding redressal of his aforesaid grievances and in case, such a representation is filed within a period of four weeks from today, appropriate orders shall be passed thereon, in accordance with law, within a period of eight weeks, thereafter.

(Mohit Kumar Shah, J)

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