

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1255 of 2021

Arvind Kumar Singh S/O Lalji Singh resident of Village- Amra, P.S.-
Mufassil, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Government of Bihar, Rural Works Department, Bisheshwariya Bhawan, Bailey Road, Patna.
2. The Principal Secretary, Government of Bihar, Rural Works Department, Bisheshwariya Bhawan, Bailey Road, Patna.
3. The Chief Engineer- 1 Rural Works Department, Bisheshwariya Bhawan, Bailey Road, Patna.
4. The Superintending Engineer, Rural Works Department, Works Division Gaya, District- Gaya.
5. The Executive Engineer, Rural Works Department, Works Division Gaya, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha, Advocate
For the Respondent/s : Mr. Ajay, G.A. 5

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 16-11-2021 Petitioner has prayed for the following relief(s):-

“For quashing the order dated 30.11.2019 passed by the Executive Engineer, Rural Works Department, Works Division, Gaya, District- Gaya, Vide Letter no. 2146, by which and where under agreement of the petitioner under Pradhan Mantri Gram Sarak Yojna, L143- Tenggara Road to Manik Bigha (Track 143) package no. BR-12R-926 has been rescinded and earnest money and security



amount has been forfeited and the contractor (petitioner) was directed to deposit a sum of Rs. 85521.00 through Bank Draft within a week, if not then a certificate proceeding will be initiated against you and for issuance any appropriate writ or writs, order or orders, direction or directions as your lordships may deem fit and proper.”

After the matter was heard for some time, learned counsel for the petitioner submits that the petitioner shall be content if the petition is disposed of with a direction to the appropriate authority to consider and decide the representation/application to be filed by the petitioner, within a period of three months.

Prayer allowed. Liberty, as prayed for, is granted.

Without expressing any opinion on merits, leaving all questions of fact and law open, the present application is disposed of with the liberty aforesaid.

We expect that the appropriate authority shall consider and decide the petitioner’s application/request expeditiously and preferably within a period of six months from the date of its presentation.

While considering such representation, the period for which the petitioner has been pursuing the present petition shall not be counted for the purposes of limitation.



Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS/-

U			
---	--	--	--

