

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2574 of 2021

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Sri Rahul Kumar Son of Sri Upendra Kumar Sinha Resident of D/101, 2nd Floor, P.C. Colony, Kankarbagh, P.S.- Kankarbagh, Patna- 800020.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Road Construction, Government of Bihar, Patna.
2. The Principal Secretary, Department of Road Construction, Government of Bihar, Patna.
3. The Engineer in Chief, Department of Road Construction, Government of Bihar, Patna.
4. The Chief Engineer, Department of Road Construction, Government of Bihar, Patna.
5. The Chief Engineer, Department of Building Construction, Bihar, Patna.
6. The Executive Engineer, New Capital Road Division, Department of Road Construction, Government of Bihar, Patna.
7. The Executive Engineer, Patliputra Building Division, Building Construction Department, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Gautam Kumar Kejriwal
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-03-2021

The petitioner seeks the following reliefs:-

"1(a) For issuance of a writ in the nature of mandamus directing the respondents to make payment of admitted dues to the tune of Rs. 8,23,594/- (Rupees Eight Lacs Twenty



Three Thousand Five Hundred Ninety Four Only) to the petitioner which is lying withheld in spite of the petitioner having completed the entire work and the respondents having prepared final bill for payment to the petitioner;

(b) For issuance of appropriate writ or order or direction upon the respondents to compensate the petitioner by way of payment of adequate interest on account of damage suffered due to unreasonable and unwarranted withholding of payment against public work completed by the petitioner and final bill already having been prepared.

At the outset, the learned counsel for the petitioner submits that he would be approaching the respondent no. 4 i.e. the Chief Engineer, Department of Road Construction, Government of Bihar, Patna, for payment of the admitted outstanding dues in connection with agreement dated 08.09.2017 whereby and whereunder the petitioner had successfully executed the civil work



in question.

Accordingly, the present writ petition stands disposed of as not pressed, however with liberty to the petitioner to approach the respondent no. 4 for payment of the admitted outstanding dues in connection with the aforesaid agreement dated 08.09.2017 and in case, the petitioner files an appropriate representation before the Respondent No. 4 within a period of four weeks from today, the same shall be disposed of by the Respondent No. 4, in accordance with law within a period of eight weeks, thereafter and the admitted outstanding dues shall be paid within a further period of six weeks thereupon, failing which the admitted outstanding dues shall carry an interest @ 6% per annum from the date, the same became due till the date of payment.

It is needless to state that henceforth, the petitioner shall not be entitled to invoke the writ jurisdiction of this Court in connection with the subject matter of the present writ petition.

It is further clarified that this Court has not



expressed any opinion on the merits of the case.

(Mohit Kumar Shah, J)

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