

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8499 of 2021

Earth Tech Engineers and Consultant Pvt. Ltd. Situated at 203, Sona Residency, P.S. Rupaspur, Gola Road, Danapur, District- Patna through its proprietor Sri Sanjay Kumar S/o Sri Baijnath Singh.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary Urban Development Department, Bihar, Patna.
2. The Principal Secretary, Urban Development Department, Govt. of Bihar New Secretariat, Patna.
3. Patna Metropolitan Area, Authority (PMAA) Under Taking Govt. of Bihar 4th and 5th floor, Bihar State Building construction corporation Ltd. Shastri Nagar, Patna through its Chief Executive Officer.
4. The Chief Executive Officer Patna Metropolitan Area, Authority, Patna.
5. The Director Incharge Patna Metropolitan Area, Authority, Patna.,
6. The Executive Engineer Patna Metropolitan Area, Authority, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Subash Prasad Singh, GA-3 Mr. S.Raja Ahmad, AAG-5

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SANJEEV PRAKASH

SHARMA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 03-01-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

1. That this writ application is being filed on behalf of the petitioner for a direction to the Chief Executive Officer, Patna Metropolitan Area



Authority (PMAA), for Payment of an amounts of Rs. 2,47,210/- which is due and payable by the respondent no.4 in contractual matter for the work assigned by the Patna Metropolitan Area Authority of DGPS Survey, Preparation of Survey report and allied documentation works and marking permanent TBM and making structure as per standard with reference from RL along both side of road for which the petitioner submitted his bill dated 3.12.2018 after successfully completion of the assignment by the petitioner and/or for issuance of the writ/ writs order/orders direction/ directions as it may deem fit and proper to your lordship.

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from



today for redressal of the grievance(s).

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall file a representation before Respondent No. 3 namely Patna Metropolitan Area, Authority (PMAA) Under Taking Govt. of Bihar 4th and 5th floor, Bihar State Building construction corporation Ltd. Shastri Nagar, Patna through its Chief Executive Officer, within a period of four weeks from today for redressal of the grievance(s);

(b) The said respondent shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in



accordance with law and with reasonable dispatch;

(f) Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits. All issues are left open;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(Sanjeev Prakash Sharma, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	05.01.2022
Transmission Date	

