

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9738 of 2021

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Dhananjay Kumar Pathak, aged about 42 years, male, Son of Sri Bhola
Shankar Pathak Resident of Mohalla-50, Company Sarai, P.O.- Sasaram, P.
S.- Sasaram (Model), Rohtas.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Building Construction
Department, Government of Bihar, Patna.
2. The Engineer-in- Chief, Building Construction Department, Government of
Bihar, Patna.
3. The Chief Election Officer Bihar, Patna.
4. The District Returning Officer-Cum-the District Magistrate District- Rohtas
at Sasaram.
5. The Executive Engineer Building Construction Division, Sasaram.
6. The Assistant Engineer Sasaram Bhawan Pramandal, Sasaram.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Satish Chandra Mishra, Adv.
For the Respondents : Mr. Syed Iqbal Ahmad SC-20

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

**(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH)**

2 15-02-2022 This matter has been taken up for hearing online
because of *COVID-19* pandemic restrictions.

2. The petitioner is seeking a direction to the
respondents to pay to him outstanding dues of a sum of Rs.



26,81,238/- with interest till the date of actual payment against the works completed by him in terms of 11 contract agreements in relation to the *Lok Sabha General* Elections, 2019. Copy of one of the agreements has been brought on record as illustration by way of Annexure to the writ application.

3. The petitioner has asserted in the writ petition that he has been approaching the Authorities for payment of the amount by making representations, one after the other, but the same have not been considered and no final decision has yet been taken.

4. In our considered view, the nature of relief, which the petitioner is seeking, in a proceeding of judicial review under Article 226 of the Constitution of India, cannot be granted in the absence of any material to demonstrate that the amount which the petitioner is claiming is admittedly payable by the respondents.

5. The learned counsel for the petitioner, however, submits that the petitioner may be permitted to pursue his remedy before the Authorities and invoke other remedies for realization of the amount in question.

6. Considering the facts and circumstances of the case, this application is disposed of with a liberty to the



petitioner to pursue his remedy before the Authorities by way of representation or invoke such other provision of law as may be permissible to him for resolution of dispute if any and redressal of his grievance.

7. This application stands disposed of.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

shyambihari/-

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