

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9965 of 2021

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Shailendra Prasad Singh Son of Ram Chandra Singh Resident of Village/
Mohalla- Kusum Colony Station Road Hilsa, Police Station- Hilsa, District-
Nalanda, Contractors Builders and Developers Kusum Colony, Station Road,
Hilsa, District- Nalanda- 801302.

... .. Petitioner/s

Versus

1. The Government of India, through Central Public Works Department Patna Central Circle, GPOA Complex, Ashiyana- Digha Road, Rajeev Nagar, Patna- 800025.
2. The Chief Engineer (EZ-II) GPOA Complex, Central Public Works Department, Karpuri Thakur Kendriya Sadan Ashiyana- Digha Road, Patna- 25.
3. The Executive Engineer Muzaffarpur Central Division, Central Public Works Department, Muzaffarpur.
4. The Assistant Engineer (YO) Patna Central Circle, Central Public Construction Department, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 19-01-2022



Petitioner has prayed for the following relief(s):

“I. For issuance of a writ in the nature or mandamus directing and commanding the Respondents to pay final Bill alongwith suitable interest for the delay in payment as well as compensation for mental and economical harassment of the construction of AIR & M/O-non-residential building of Central Excise, Custom and Income Tax Department at Patna during year 2012-13 vide Agreement No.13/EE/PCD-II/12-13 date of Start 07.08.2012 and Date of Completion 06.07.2013 Time allowed 12 months.

II. for issuance of an appropriate writ/writs, order/orders, direction/directions for which the petitioner is entitle under the law and fact and circumstances of the case.”

We find the present petition to be totally misconceived and ill-advised and a claim, which is time-barred, is sought to be pressed by way of the instant petition.

Petitioner entered into a works contract with the respondent State. This was in relation to an agreement entered into almost nine years ago. With the completion of the work, petitioner did not take any steps for enforcing his rights in accordance with law. Evidently, there is delay and laches in approaching the Court. The period of limitation, as prayed for, more so in the absence of any justification before us, cannot be extended by passing an order in a writ petition and, that too, on disputed questions of fact.

As such, petition is dismissed.

It stands clarified that we may not be understood to



have dealt with the issues on merits and if in any appropriate proceeding petitioner explains the delay, it shall be open for the same to be adjudicated.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS/-

AFR/NAFR	
CAV DATE	
Uploading Date	24.01.2022
Transmission Date	

