

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6790 of 2022

Binod Kumar Singh @ Vinod Kumar Singh son of Late Maheshwar Prasad Singh, resident of Village- Basundeo pur Chandel, P.S.- Mahnar, Distt.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Works Department, Govt. of Bihar, Patna.
2. The Engineer in Chief Rural Works Division, Govt. of Bihar, Patna.
3. The Executive Engineer, Rural Works Division, Mahnar, Distt.- Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Braj Kishore Singh Chouhan, Advocate
For the Respondent/s	:	Mr.Archana Meenakshee (GP 6)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-06-2022

Heard learned counsel for the parties.

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

1. That this writ petition is being filed herewith a prayer for issuance of writ of mandamus, directing and commanding upon the respondents to pay the admitted bill amount of Rs. 884016=00 to the petitioner on completion of maintenance work under

PMGSY from Basdeopur Chandel High School to Darapur Ram Pabitra Rai ke Ghar Tak for five years which ended on time which is evident from the letter of the Executive Engineer bearing no. 275 dated 19.3.18.

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).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of four months from the date of its filing along with a copy of this order.

5. Statement accepted and taken on record.

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

(a) Petitioner shall approach the authority concerned

within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of four 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) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;

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

(f) 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;

(g) Liberty reserved to the petitioner to approach the appropriate forum/Court, should the need so arise subsequently on the same and subsequent cause of action;

(h) We have not expressed any opinion on merits.

All issues are left open;

(i) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

7. The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	