

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13092 of 2021

=====

Rakesh Kumar Son of Suresh Prasad R/o Village-Barah patthar, PS.-
Samstipur Town, Dist.-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
3. The Engineer in Chief-Cum-Office of Special Secretary, Public Health Engineering Department, Bihar, Patna.
4. The Regional Chief Engineer, Public Health Engineering Department, Muzaffarpur Zone, Muzaffarpur.
5. The Superintendent Engineer, Public Health Engineering Department, Muzaffarpur.
6. The Executive Engineer, Public Health Engineering Department, Hazipur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Nirbhay Prashant, Advocate
For the Respondent/s : Mr. Arvind Ujjwal, SC-4

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(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.)

2 12-01-2022 Petitioner has prayed for the following relief(s):

“i. To issue appropriate, rule/rules, direction/directions, writ/writs in the nature of *Mandamus* directing the respondent authorities to make payment with statutory interest to the petitioner for the work done by him in pursuance of Letter No. 1489 dated 19.07.2010



- ii. and further direct the respondent authorities to make payment of Earnest Money Deposit, Security Deposit and money deposited as penalty for Extension of Time which are still pending in the hand of the authorities.
- iii. And any other relief or reliefs for which the petitioner be found entitled in law be granted to him.”

After the matter was heard for some time, learned counsel for the petitioner, under instruction, states that the petitioner shall be content if a direction is issued to Respondent No. 4, namely The Executive Engineer, Public Health Engineering Department, Hazipur to consider and decide the representation to be filed by the petitioner along with a copy of this order within a period of four weeks, within a period of three months from the date of its presentation.

Without expressing any opinion on merits of the claim, petition is disposed of with the liberty aforesaid. All issues on facts and law are left open.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Equally, liberty is reserved to the petitioner to take



recourse to such alternative remedies as are otherwise available
in accordance with law.

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.

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS

U			
---	--	--	--

