

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8887 of 2022

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Anjani Kumar, S/o Late Shashank Shekhar Das, Resident of Ward No. 16,
Nayatola, Banka, Police Station- Banka, District - Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Building Construction, Government of Bihar, Patna.
3. The Engineer-in-Chief Building Construction Department, Government of Bihar, Patna.
4. The Chief Engineer, Building Construction Department, Government of Bihar, Patna.
5. The Superintending Engineer, Building Construction Circle, Bhagalpur.
6. That Executive Engineer, Building Construction Division, Banka.
7. The Assistant Engineer, Building Construction Division, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
Mr. Ganesh Sharma, Advocate
Mr. Bajrang Lal, Advocate

For the Respondent/s : Mr. Manoj Kr. Ambastha, SC 26

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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 : 29-07-2022

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

“For issuance of appropriate writ or writs,
direction or directions commanding the
respondents to allot Rs. 12,08,885/- in the name of



petitioner who complete the work for agreement No. 17F-2/2021-22 for an agreement amount against 12,31,200/- which has been with held by Respondents after completion of Bihar Panchayat Election 2021 and also quash the letter no. 689 dt. 20.04.22 issued by Executive Engineer, Building Division, Banka whereby and whereunder Respondent no. 6 directed to the petitioner to refund/return back the amount Rs. 4,84,675/- (Annexure-7 & 9) which is excess amount pay to the petitioner.”

After the matter was heard for some time, finding the Court not to be in favour with the submissions made by learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that petitioner shall be content if the petitioner is permitted to initiate appropriate proceeding before the appropriate forum and to take recourse to such other equally, efficacious alternative remedies as are available in accordance with law.

Permission granted.

We clarify that we have not adjudicated the dispute on merits. All questions of fact and law are left open to be agitated and adjudicated before the appropriate forum in appropriate proceedings.



Petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	03.08.2022
Transmission Date	

