

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13526 of 2021

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Anjani Kumar, Male, aged about 62 years, son of Late Shashank Shekhar Das
resident of Ward No. 16, Naya Tola, Police Station and 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. The Executive Engineer, Building Construction Division, Banka.
7. The Assistant Engineer, Building Construction Division, Banka.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 13528 of 2021

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Manoj Kumar, aged about 45 years (M) Son of Shree Ravindra Kumar Singh,
Resident of Mohalla - Awasthi Ghat (Takiyapar), Police Station - Danapur,
District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Building Construction Department, Government of Bihar.
2. The Commissioner, Building Construction Department, Govt. of Bihar, Patna.
3. The Chief Engineer, Building Construction Department, Government of Bihar, Patna.
4. The Executive Officer Garden Division, Building Construction Department, Government of Bihar, Patna.
5. The Superintending Engineer, South Bihar Anchal BCD, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 13556 of 2021

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Ram Kishore Aggrawal, aged about 71 years (M) S/o Jagat Narayan Aggrawal R/o Ward No. 34 Chatti Road Begusarai No., P.S.- Muffasil, Distt- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Begusarai, Distt- Begusarai.
3. Additional District Magistrate, Begusarai.
4. Sub-Divisional Officer, Begusarai.
5. Circle Officer, Begusarai Circle Office under Distt- Begusarai.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 14939 of 2021

1. Gopal Prasad Gupta (aged about 33 years, Male) S/o Ramji Prasad Gupta, of - Rupahi, P.S.- Bhitaha, District - West Champaran.
2. Tej Prakash Verma (aged about 27 years, Male) S/o Bharat Prasad Verma, resident of Balmikinagar, P.S. - Balmikinagar, District - West Champaran.
3. Ranvijay Singh (aged about 41 years, Male) S/o Uma Shankar Singh, of Village - Parsa Banchahari, Post and P.S.- Parsa Banchahari, District- West Champaran.
4. Sunil Kumar Suman (aged about 23 years, Male) S/o Hiralal Prasad Yadav, Village- Barariha, P.O. and P.S.- Chilwaniya Madhubani, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner cum Secretary, Rural Development Department,
3. The Engineer-in-chief, Public Works Department, Govt. of Bihar, Patna.
4. The Superintending Engineer, Rural Works Department, West Champaran at Bettiah, District - West Champaran.
5. The Executive Engineer, Rural Works Department, Work Division Bagaha - 1, West Champaran.
6. District Magistrate West Champaran at Bettiah, District - West Champaran.
7. Deputy Development Commissioner West Champaran at Bettiah, District - West Champaran.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 15084 of 2021



Sagira Khatoon, aged about 32 years (Female) W/o Md. Ansarul Haque Ward No. 11, resident of Village/Post- Makhnaha, near Masjid, Makhnaha, District- Madhubani, Bihar, Pin- 847108.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
2. The Secretary, Department of Panchayati Raj, Government of Bihar, Patna.
3. The District Magistrate Madhubani.
4. The Block Development Officer Block- Laukahi.
5. The Mukhiya Gram Panchayat Dhanchhiha, Madhuabani.
6. The Secretary Ward Kriyanvan Avian Prabadhan Samittee, Ward No. 8, Gram Panchayat Dhanchhiha, Madhuabani.
7. The Secretary Ward Kriyanvan Avian Prabadhan Samittee, Ward No. 13, Gram Panchayat Dhanchhiha, Madhuabani.
8. The Ward Member Ward No. 8, Gram Panchayat Dhanchhiha, Laukahi, Madhuabani.
9. The Ward Member Ward No. 13, Gram Panchayat Dhanchhiha, Laukahi, Madhuabani.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 16088 of 2021

M/s Mishra and Thakur Construction, Prop. Sunil Thakur @ Sunil Kumar Thakur aged about 50 years, Gender - Male, Son of Kapileshwar Thakur, Resident of Village - Sundarpur, P.S.- Basopatti, District- - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, Rural Work Department, Government of Bihar.
3. The Director (Secondary Education) Education Department, Govt. of Bihar.
4. The Executive Engineer, Rural Work Department, Work Division- 2 Benipatti District - Madhubani.
5. The District Education Officer Madhubani.
6. The District Programme Officer (Scheme and Account) District - Madhubani.
7. The Junior Engineer, Rural Work Department, Work Division Benipatti plus 2 High School, Kirhar Harlakhi, District - Madhubani.

... .. Respondent/s

Appearance :



(In Civil Writ Jurisdiction Case No. 13526 of 2021)

For the Petitioner/s : Mr. Rajib Ranjan Jha, Advocate

For the Respondent/s : Mr. Sushil Kumar, GP 22

(In Civil Writ Jurisdiction Case No. 13528 of 2021)

For the Petitioner/s : Mr. Prafull Chandra Thakur, Advocate

For the Respondent/s : Mr. Syed Iqbal Ahmad, SC 20

(In Civil Writ Jurisdiction Case No. 13556 of 2021)

For the Petitioner/s : Mr. Raj Dular Sah, Advocate

For the Respondent/s : Mr. Rishi Rah Sinha, SC 19

(In Civil Writ Jurisdiction Case No. 14939 of 2021)

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Respondent/s : Ms. Archana Meenakshee, GP 6

(In Civil Writ Jurisdiction Case No. 15084 of 2021)

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Respondent/s : Mr. Satya Vrat, AC to GP 10

(In Civil Writ Jurisdiction Case No. 16088 of 2021)

For the Petitioner/s : Mr. Baidya Nath Prasad, Advocate

For the Respondent/s : Mr. Ajay, GA 5

CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

4 05-04-2022 Heard learned counsel for the parties.

In CWJC No. 16088 of 2021, we had sought personal appearance of the Principal Secretary, Building Construction Department, Government of Bihar. A statement was recorded on 09.03.2022. Certain observations were made by this Court. It was also observed that this Court expects all the departments to follow the same pattern as regards payment of admitted dues. Relevant paragraphs of the said order dated 9th of March, 2022, is reproduced below:-

“We have a bunch of cases where same question is involved regarding harassment caused to the common citizen in making timely payment despite the dues being admitted by the Department.



Mr. Kumar Ravi, Secretary, Building Construction Department, Government of Bihar, Patna is present today before us. He has assured the Court that necessary instructions shall be issued for making it mandatory that admitted dues are paid as soon as it became due, in any case, not later than one month or within the statutory period provided for in the Contract. In case, there is an inordinate delay, the action of the Officer shall be departmentally inquired into, if necessary with the help of the Vigilance Department. In those cases, where the Court imposes interest for delayed payment beyond a particular period, the same shall be deducted from the salary of the Officials responsible for delay. He, however, assures that a copy of this order shall be handed over to the Chief Secretary, Government of Bihar, Patna. We expect that the same pattern shall be followed in other departments as well.

Personal appearance of Mr. Kumar Ravi, Secretary, Building Construction Department, Government of Bihar, Patna is exempted for the next date of hearing.”

We dispose off all the cases today in light of the
aforesaid order dated 09.03.2022 passed in CWJC No. 16088 of
2021.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

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