

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12124 of 2019

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Manglam Planners and Construction (P) Limited having its registered office at Dhaurani Tola, Mokama, Ward No. 16, P.s.- Mokama, Distt.- Patna through its Director, Ajay Kumar Singh, aged about 32 years, Male, Son of the late Jagdish Prasad Singh, resident of Dhaurani Tola Mokama Ward No. 16, P.s.- Mokama, Distt.- Patna

... .. Petitioner/s

Versus

1. The Bihar State Power Transmission Company Limited Patna
2. The Managing Director Bihar State Power Transmission Company Limited, Patna
3. The Chief Engineer (Civil) Bihar State Power Transmission Company Limited, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prashant Sinha, Advocate
For the Respondent/s : Mr. Vinay Kirti Singh, Sr. Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 29-11-2022

Heard learned counsel for the parties.

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

“For issuance of necessary direction upon the respondent authorities to make payment of Rs. 13 lacs, which has been illegal and arbitrarily withheld from the third bill of the Petitioner on the no nest ground of delay in execution of work, while actually the delay was caused by the respondents themselves because they started executing different types of work through other vendors on the



same area upon which the Petitioner had to execute the work of PCC and gravel spreading.

(ii) For holding that the Petitioner should not have been subjected to punishment of withholding of Rs. 13 lacs from his third bill, when there was a favourable recommendation from the authorities themselves for extension of time on account of other vendors executing different types of work on the same floor area.

(iii) For necessary direction upon the respondent authorities to refund the security deposit of Rs. 3,30,580/- and 5% of the running bill, which was deducted at the time of payment of these running bills.

(iv) For necessary direction upon the respondent authorities to refund the earnest money deposit of Rs. 2,64,500/- in favour of the Petitioner as the Petitioner has successfully completed his work.

(v) For necessary direction upon the respondent authorities to make payment of final bill amount of Rs. 24,068/- to the Petitioner as the same has not been paid to him in an arbitrary and illegal manner.

(vi) For necessary direction upon the respondent authorities to make payment of the aforesaid amounts with penal interest @



18% per annum as the amount has been arbitrarily and illegally withheld without any fault on the part of the Petitioner.

(vii) For any other direction, which your Lordships may deem fit and proper in the facts and circumstances of the case.”

Learned counsel for the petitioner seeks permission to withdraw the present petition, for the same having rendered infructuous.

Permission granted.

The instant petition stands disposed of as withdrawn.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Prakash/PKP

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CAV DATE	
Uploading Date	
Transmission Date	

