

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14412 of 2021

Chanchla Devi, Wife of Late Ramnandan Singh, Resident of Village - Jhari House, Karma Road, P.S. and District - Aurangabad, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Secretary Rural Works Department, Government of Bihar, Patna.
3. The Engineer - in - Chief, Rural Works Department, Government of Bihar, Patna.
4. The Chief Engineer - 1, Rural Works Department, Govt. of Bihar, Patna.
5. The Superintending Engineer, Rural Works Department, Works Circle, Aurangabad.
6. The Executive Engineer, Rural Works Department, Works Division, Daudnagar, Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Raj Kishore Prasad, Advocate
For the Respondent/s : Mr. Ajay, GA-5

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 : 19-01-2022

Heard learned counsel for the parties.

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



- i) To issue an appropriate writ(s), order(s), direction(s) in the nature of writ of Mandamus, directing the respondents to allow the time extension (in short E.O.T.) and accordingly make payment of the amount deducted on account of not granting time extension.
- ii) To issue an appropriate writ(s), order(s), direction(s) in the nature of writ of Mandamus directing the official respondents to take final decision in terms of letter no. 1414 dated 21.09.2017 written by the respondent Superintending Engineer, as the evidence/proof asked by him has already been sent by the respondent Executive Engineer vide letter no. 1733 dated 21.12.2017 itself.
- iii) To any other relief or reliefs for which the petitioner is found to be entitled in the facts and circumstances of the case.

After the matter was heard for some time, finding the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioner, more so in view of the disputed question of fact, fairly states that petitioner be permitted to take recourse to such equally, efficacious alternative remedies as are available in



accordance with law.

Permission granted.

Petition stands disposed of in the aforesaid terms.

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/-

AFR/NAFR	
CAV DATE	
Uploading Date	22.01.2022
Transmission Date	

