

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11115 of 2022

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M/S Sah Construction, through its Managing Partner Suresh Sah, Male, aged about 68 years, Son of late Lakhan Sah, resident at Kushwaha Colony, Police Station- Tarapur, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Rural Works Department, Bihar, Patna.
3. The Engineer-In-Chief, Rural Works Department, Bihar, Patna.
4. The Executive Engineer, Rural Works Department Works, Division, Munger.
5. The Executive Engineer, Rural Works Department Works Division, Kharagpur, Tarapur (Munger).
6. The Divisional Accounts Officer, Rural Works Division, Kharagpur, Tarapur (Munger).
7. The Divisional Commissioner, Munger Division, Munger.
8. The District Public Grievance Redressal Officer, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rana Ishwar Chandra,Advocate
For the Respondent/s : Mr.Kameshwar Prasad Gupta (GP 10)

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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 : 12-08-2022

Petitioner has prayed for the following relief(s):

“(I) For Commanding and directing
the Respondent No. 5 to pay the admitted dues
of Rs. 82,328 (Rs. Eighty two thousand three



hundred and twenty eight only) to the petitioner along with statutory penal interest for the delayed period; from 2014 till date.

(II) For Commanding and directing the Respondent No. 5 to pay Rs. 16,344/- (Sixteen thousand three hundred and forty four) being the security deposit along with statutory penal interest for the delayed period i.e., from 2014 till date.

(III) For commanding and directing the Respondent No. 5 to pay the penal interest from the period during which National Saving Certificate (in short "NSC") of the petitioner amounting to Rs. 3,00,500/- (Three lac and five hundred only) deposited as earnest money were unnecessarily withheld, i.e. from 2011 to 2017.

(IV) For Commanding and directing the Respondent No. 5 to pay penal interest upon the amount of security money, amounting to Rs. 2,14,280/- (Two lac, fourteen thousand, two hundred and eighty only) from 2011 to 2017.

(V) For Commanding and directing the Respondent No. 5 to pay proper compensation to the petitioner for the mental, economical and physical injury, caused to this petitioner.

(VI) For such other relief(s) for which the petitioner may be found entitled in the facts and circumstances of this case."

After the matter was heard for some time, finding the Court not in favour of the submissions made by the learned



counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petition is disposed of, with liberty to initiate appropriate proceedings before the appropriate forum and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

All issues of law and fact are left open.

The petition is disposed of with the liberty aforesaid.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS

AFR/NAFR	
CAV DATE	
Uploading Date	16.08.2022
Transmission Date	

