

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18727 of 2018

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M/s. Pawansut Construction, Proprietor, Abhishek Kumar @ Abhishek Kumar Singh Son of Tribhuwan Narayan Singh, Resident of Chandrashekhar Nagar Rauza, P.S. Rauza, District- Gazipur (U.P).

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Road Construction Department, Visheshwaraiya Bhawan, Bailey Road, Patna.
2. The Engineer-In- Chief, Road Construction Department, Visheshwaraiya Bhawan, Bailey Road, Patna.
3. The Chief Engineer, South Bihar, Road Construction Department, Bihar, Patna.
4. The Superintending Engineer, Bhojpur Road, Circle, Road Construction Department, Ara.
5. The Executive Engineer, Road Construction Department, Road Division, Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Lal Babu Singh, Advocate Mr. Jay Prakash Sharma, Advocate
For the Respondent/s	:	Mr. Ravi Bhardwaj, AC to GA 13

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

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

2 01-02-2022 The matter has been heard *via* video conferencing.

Heard learned counsel for the parties.

The petitioner has filed this writ petition seeking a writ in the nature of mandamus for directing the respondents to



determine and make payment to the petitioner, the carriage cost of stone aggregates from Dala quarry to the work site and the carriage cost of bitumen from Haldia to work site.

During the pendency of this petition, the petitioner has filed 2nd supplementary affidavit wherein he has annexed the recommendation of the Technical Bid Evaluation Committee dated 16.08.2021, proposing that the petitioner is entitled to payment of an amount of Rs. 179.87497/- lakhs.

Counsel for the petitioner submits that he shall be satisfied if payment is made to him in terms of the said evaluation.

We, thus, propose to dispose off the writ petition with a direction to the contesting respondents to consider the claim of the petitioner in terms of the recommendation of the evaluation committee.

Mr. Ravi Bhardwaj, learned AC to GA 13 representing the State has no objection to this.

As a result, we direct that in case the petitioner files a representation before the concerned respondent within two weeks from today, he shall take a decision thereon within three weeks thereafter. If there is any recommendation of the Technical Evaluation Committee that shall be taken into



consideration. If any amount is found due, the same shall be released to the petitioner forthwith.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

P. Kumar

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