

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18745 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. Raj Ballabh Prasad Yadav, AAG 11

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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 prayed for a writ in the nature of mandamus to direct the respondents to determine and make payment to the petitioner, the carriage cost of stone aggregates from Dala quarry to the work site and carriage charges of bitumen from Haldia to the work site. According to him, there is



already a report of the Technical Evaluation Committee recommending payment of a particular amount to the petitioner.

We, thus, propose to dispose off the writ petition with a direction to the respondents to consider the claim of the petitioner and pass a speaking order.

Learned counsel for the respondents 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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