

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.331 of 2022

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Jai Maa Bhawani Buildcon Pvt. Ltd. having its Registered Office at First Floor, Flat No. 101, Shiv Shanti Complex, Indrapuri (Shiv Mandir Road), Patna-800024, duly represented by its Director Manwendra Kumar Singh, Aged about 51 years, Gender-Male, Son of Shiv Narayan Singh, Resident of House NO. 11, Road No. 7/C, Indrapuri, Near Shiv Mandir, Keshri Nagar, District-Patna, Bihar-800024.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Rural Work Department, Government of Bihar, Patna.
2. The Chairman Standing Empowered Committee, Rural Work Department, Bihar, 5th Floor Vishveshwarya Bhawan, Bailey Road, Patna, Bihar-800015.
3. The Chief Engineer, Rural Work Department, Bihar, 5th Floor Vishveshwarya Bhawan, Bailey Road, Patna, Bihar-800015.
4. Superintending Engineer, Rural Work Department, Bihar, 5th Floor Vishveshwarya Bhawan, Bailey Road, Patna, Bihar-800015.
5. Executive Engineer, Rural Work Department, Bihar, 5th Floor Vishveshwarya Bhawan, Bailey Road, Patna, Bihar-800015.
6. The District Magistrate, Bhojpur Arah, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Prashant Kumar, Advocate
For the Respondent/s	:	Mr.Kameshwar Prasad Gupta (G.P.10)
		Mr. Satya Vrat, AC to GP-10

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 24-02-2022

Heard learned counsel for the parties.

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

“(i) For issuance of an appropriate writ, order or direction in the nature of mandamus ordering and directing the Chairman of the Standing Empowered Committee, Rural Work Department, Bihar to resolve the dispute in connection with Scrapping of the work

due to closing down of the agreement dated 23.10.2009 executed between the Executive Engineer, Rural Works Department and Jai Maa Bhawani Buildcon Pvt. Ltd. (the petitioner) and refund the security deposit as expeditiously as possible.

(ii) For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.”

Learned counsel for the petitioner has placed on record Communication dated 22.02.2022 which reads as under:-

ग्रामीण कार्य विभाग
बिहार ग्रामीण पथ विकास अभिकरण

आपांक-BRRDA(HQ)-PMGSY-401/2020 - 532 / पटना, दिनांक-24/02/2022

प्रेषक,
हो. मनवत राम,
अधीक्षक अभियंता-सह-
मोडल परामित्तरी, PMGSY,
बिहार ग्रामीण पथ विकास अभिकरण, पटना।

शेवा में,
Jai Maa Bhawani Buildcon Private Limited,
First Floor, Flat No.- 101, Shiv Shanti Complex,
Indrapuri, (Shiv Madir Road), Patna- 800024
Mob.-7488397819, 9162211265
Email Id-

विषय: दिनांक-23.02.2022 को Empowered Standing Committee की प्रस्तावित बैठक में सुनवाई के संबंध में।

प्रस्ताव: आपका Empowered Standing Committee के समक्ष सुनवाई हेतु आवेदन पत्र (दिनांक 18.07.2020)।

संदर्भ,
उपरोक्त विषयक प्राथमिक संदर्भवाद के आशोक में निर्देशानुसार क्यूरेश है कि दिनांक-23.02.2022 को 04:30 बजे अपराह्न में सचिव, ग्रामीण कार्य विभाग, के कार्यालय कक्ष में Empowered Standing Committee की प्रस्तावित बैठक में संबंधित उपस्थित होने सुनिश्चित किया जाय।

विश्वसनात्मक
अधीक्षक अभियंता-सह-
मोडल परामित्तरी, PMGSY

आपांक-BRRDA(HQ)-PMGSY-401/2020 - 532 / पटना, दिनांक-23/02/2022

प्रतिलिपि: कार्यपालक अभियंता, ग्रामीण कार्य विभाग, कार्य प्रमण्डल, आरा को सूचनाई एवं आवश्यक कार्यवाई हेतु प्रेषित।

निवेदित दिनांक-23.02.2022 को 04:30 बजे अपराह्न में सचिव, ग्रामीण कार्य विभाग, के कार्यालय कक्ष में प्रस्तावित बैठक में संबंधित अभिलेख के साथ उपस्थित होना सुनिश्चित करें।

अधीक्षक अभियंता-सह-
मोडल परामित्तरी, PMGSY

आपांक-BRRDA(HQ)-PMGSY-401/2020 - 532 / पटना, दिनांक-23/02/2022

प्रतिलिपि: श्री शंकर प्रसाद सिंह, संपत्तिक अभियंता प्रमुख, ग्रामीण कार्य विभाग / अभियंता प्रमुख, ग्रामीण कार्य विभाग, बिहार, पटना को सूचनाई प्रेषित।

अधीक्षक अभियंता-सह-
मोडल परामित्तरी, PMGSY

आपांक-BRRDA(HQ)-PMGSY-401/2020 - 532 / पटना, दिनांक-23/02/2022

प्रतिलिपि: सचिव, ग्रामीण कार्य विभाग, बिहार पटना को सूचनाई प्रेषित।

अधीक्षक अभियंता-सह-
मोडल परामित्तरी, PMGSY

In view of the same, he prays that the petition be disposed of with a direction to the Empowered Standing Committee to positively take a decision in the petitioner’s case within a period of four weeks.

Ordered accordingly.

Petition stands disposed of reserving liberty to the petitioner to challenge the order before the appropriate forum, in accordance with law, if so required and desired.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	