

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.931 of 2023

M/S Maa Bindhyavasini Construction through Santosh Kumar (M) aged about 45 years, on of Late Srikant Choudhary, Resident of Patel Chowk, Gachhi Tola, Station Road, Ballia, P.O. Lakhminiya P.S. Ballia, District Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
2. The Engineer in Chief Cum Special Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
3. The Chief Engineer, Public Health Engineering Department, Muzaffarpur Region, Muzaffarpur.
4. The Regional Chief Engineer, PHED, Muzaffarpur.
5. The Superintending Engineer, Public Health Engineering Department, Dabhanga Circle, Darbhanga.
6. The Executive Engineer, Public Health Division, Darbhanga.
7. The Assistant Engineer, Public Health Sub-Division, Benipur District Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Advocate
For the State : Mr. Alok Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

4 24-02-2023 Supplementary affidavit relating to production of agreement is accepted subject to payment of cost of Rs. 1000/- (Rupees One Thousand Only). Cost shall be remitted in Patna High Court Legal Services Committee, for the reasons that matter relates to work contract agreement and agreement is one



of the basic document and it has not been produced along with the main petition.

In the instant petition, petitioner has prayed for the following relief:-

“That this is an application for issuance of an appropriate writ(s), order(s) or direction(s) to the respondents to dispose off the appeal dated 20.10.2022 pending before the Respondent No. 3 in connection with Agreement No. S.B.D 02/2018-19 which is against the order of Respondent no. 4 vide order dated 14.05.2022 who has rejected the claim of the petitioner for making the payments of amount Rs. 60 Lacs and the Respondent no. 5 vide order dated 21.01.2022 debarred the petitioner to participate in future BID of the respondents since to keep pending the appeal the petitioner has been losing his opportunity to participate in the departmental BID.”

Short question for consideration is appellate authority- respondent no. 3 has not considered and pass order on the petitioner's appeal which is pending consideration.

In the light of these facts and circumstances respondent no. 3 is hereby directed to consider grievance of the petitioner on the issue of interim relief sought by him within a period of thirty days. Further, he is directed to dispose of petitioner's memorandum of appeal dated 20.10.2022 within a period of two months from the date of receipt of this order.



Accordingly, the present petition stands disposed of.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

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