

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3197 of 2023

M/s Star Construction, Balua Tal Motihari, East Champaran, P.S.-Nagar Town, District- East Champaran, through its Managing Partner Pervez Ahmad Khan, aged about 50 years, Male, son of Haseen Ahmad Khan, Resident of Balua Tal Motihari, West Champaran, P.S.-Nagar Town, District-West Champaran.

... .. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Engineer-in-Chief, Rural Works Department, Government of Bihar, Patna.
3. The Chief Engineer-3 Rural Works Department, Government of Bihar, Patna.
4. The Superintendent Engineer, Rural Works Department, Motihari.
5. The Executive Engineer, Rural Works Department, Dhaka (Chawhaniya Paswan Tola to Talwagarahiya).
6. The Assistant Engineer, Rural Works Department, Dhaka.
7. The Junior Engineer, Rural Works Department, Dhaka.
8. The Additional Chief Executive Officer-cum-Secretary, Bihar Rural Road Development Agency, Bihar, Patna.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Dr. Ranjeet Kumar, Advocate Mr. Yogesh Kumar, Advocate Mr. Ayush Kumar, Advocate Mr. Kanishk Kaustubh, Advocate Mr. Shikhar Mani, Advocate
For the Respondent/s	:	Mr. Pratik Kumar Sinha, AC to GA-5

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-05-2023 Learned counsel for the petitioner is permitted to add the Additional Chief Executive Officer-cum-Secretary, Bihar Rural Road Development Authority, Bihar, Patna as respondent no. 8.

Heard learned counsel for the petitioner and learned counsel for the State.



Petitioner in the present case is seeking a direction to the respondents to make payment of the admitted amount as per Annexure '2' to the writ application.

Learned counsel submits that vide Letter No. 1147 dated 27.10.2018, the Executive Engineer, Rural Works Department, Road Division, Motihari, East Champaran has written to the Additional Chief Executive Officer-cum-Secretary, Bihar Rural Road Development Authority, Bihar, Patna whereunder he has forwarded the payment advice and hand receipt for payment of Rs. 11,90,894/- in favour of the contractor "Star Construction".

Learned counsel submits that because of the inaction on the part of the Additional Chief Executive Officer (Respondent No. 8), the matter has remained pending so far.

Learned counsel for the State is present. It is submitted that in such circumstance, appropriate direction may be issued to the competent authority.

Having regard to the facts and circumstances of the case, particularly the Letter No. 1147 (Annexure '2'), this Court directs the respondents to examine the case of the petitioner, look into Annexure '2' to the writ application and take appropriate steps towards payment of the admitted amount of



the petitioner and return the security deposit of the petitioner, if any, lying with the respondents within a period of two months from the date of receipt/production of a copy of this order.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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