

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3383 of 2023

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M.S. Construction, through its Proprietor Priya Ranjan Kumar, Male, aged about 29 years, Son of Narendra Singh, Resident of Mohalla- New Khaja Sarai, P.S.- Laheriasarai, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Building Construction Department, Govt. of Bihar, Patna.
2. The Superintending Engineer, Building Construction Department, Darbhanga.
3. The Executive Engineer, Building Construction Department, Structural Circle, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bhanu Pratap Singh, Advocate.

For the Respondent/s : Mr.Amit Prakash, GA-13.

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

5 16-10-2023 Heard learned counsel for the parties.

2. The present Writ Petition has been filled for the following reliefs:-

“That this is an application for issuance of an appropriate writ for directing the Respondents concerned to allow the petitioner to do the work in view of the agreement and work order dated 26.07.2021 issued by the Respondent no. 3 in respect to Renovation of 10 bedded Guard Barrack Building in campus of Commissioner's Residence at officer's Colony Darbhanga after compensating the loss to the petitioner which incurred because of restriction of work. And/or the entire



amount may be refunded to the petitioner which was invested by him in part construction as well as cost of building construction materials damaged in course of time which were kept on the site of construction of the said barrack and/or any writ, order or direction may be given in accordance with law”.

3. Even though the learned counsel appearing on behalf of the petitioner has argued at length on merits of the case, this Court is not inclined to go into the same as the petitioner has already filed a representation to the authorities (Annexure Nos. 8, 9 and P/15) ventilating his grievances.

4. Having regard to the same, without going into the merits or demerits of the case this Court is of the view that the ends of justice would be met if the authorities are directed to consider the representation made by the petitioner and pass a reasoned order. In case, the authorities come to the conclusion that the claims of the petitioner are genuine, they shall pass necessary orders and pay the amounts as admissible to the petitioner.

5. In case, the authorities reject the claim of the petitioner, the reasons for rejection shall be stated by a reasoned order. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight



weeks from the date of receipt of the copy of this order. It is needless to mention that before passing any order the petitioner shall be put on notice and given an opportunity of hearing. Any order passed shall be communicated to the party.

6. With the above directions, the present writ petition stands disposed off.

(A. Abhishek Reddy , J)

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