

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4489 of 2023

Virendra Kumar Chaudhary Son of Daroga Chaudhary, Resident of Village
and P.O.- Ajgari, P.S.- Banjariya, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Building Construction Department, Government of Bihar, Patna.
3. The Chief Engineer (North), Building Construction Department, Government of Bihar, Patna.
4. The Superintending Engineer, Building Construction Department, Building Circle, Motihari.
5. The Executive Engineer, Building Division, East Champaran at Motihari.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Kaushik, Advocate
For the Respondent/s	:	Mr. Manoj Kumar Ambastha, SC-26 Mr. Subodh Kumar, AC to SC-26

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL JUDGMENT

Date : 19-04-2023

Heard learned counsel for the parties.

2. The petitioner, by way of this writ petition, has
prayed as under:-

*“(i). For issuance of an order, direction
or a writ of certiorari for quashing and setting
aside the order contained in Memo No. 1934
dated 19.12.2022 issued under the signature of
respondent number 3 whereby and whereunder*



the claim of the petitioner for payment of 10,34,000/- in terms of rate approved by the Competent Authority (bill of quantity for the year 2019-20) for construction of Sadbhav Mandap Building in the Block of Banjariya in the District of East Champaran against notice inviting tender bearing number 51/2018-19.

(ii) For issuance of an order, direction or a writ of mandamus for directing the respondent authorities to make payment of Rs. 10,34,000/- along with applicable interest for the delayed payment against contract executed between the parties on 06.02.2021 for construction of Sadbhav Mandap Building in the Block of Banjariya in the District of East Champaran against Notice Inviting Tender bearing number 51/2018-19.

(iii) For issuance of an order, direction or a writ of mandamus for directing the respondent authorities to make payment of the aforesaid construction made by the petitioner at the rate approved by the Chief Engineer (North) for construction of the building vide his letter number 1304 dated 14.06.2019 whereby and where under Bill of Quantity for the year 2019-20 was approved for construction of the same building against the notice inviting tender.”

3. In view of the detailed judgment dated **19.04.2023**, passed in **C.W.J.C. No. 4144 of 2023 (Kaushalendra Kumar Singh Vs. the State of Bihar & Ors.)**, the present writ petition



is dismissed with the liberty to the petitioner as given in
C.W.J.C. No. 4144 of 2023(supra).

(Sanjeev Prakash Sharma, J)

Amrendra/-
Item No. 28

AFR/NAFR	
CAV DATE	
Uploading Date	21.04.2023
Transmission Date	

