

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6311 of 2023

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Kalanand Mandal, Son of Late Thakur Madal, Director of Larks Buildcon India Pvt. Ltd., Resident of City Heart Apartment, Flat No- 302, Budh Marg, P.S- Kotwali, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through its Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Engineer-in-Chief, Rural Works Department, Bihar Patna.
3. The Chief Engineer, Rural Works Department, Patna.
4. The Superintending Engineer, Rural Works Department, Begusarai.
5. The Executive Engineer, Rural Works Department, Works Division, Manjhaul Bakhri, Begusarai.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Parashuram Singh, Advocate
For the Respondent/s : Mr. Manoj Kumar Yadav, AC to GA-10

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-05-2023 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner in the present case is seeking a refund of his security and earnest money deposits of Rs. 4,20,400/- and Rs. 2,46,000/- respectively. It is his further submission that he is entitled for maintenance cost for five years amounting to Rs. 7,56,400/- in connection with the work under Agreement No. 2 MBD/(M R) 2017-18.

Learned counsel for the petitioner submits that the petitioner has submitted several representations to the competent authorities which are Annexures '1', '2', '3' and '4' to the writ application.



It is further submitted that vide Annexure '5' to the writ application, in an another case of similar nature (**CWJC No. 7742 of 2018, Anil Kumar Mandal Vs The State of Bihar and Ors**), the Hon'ble Division Bench of this Court has vide order dated 23.01.2023 issued directions to the Superintending Engineer of the concerned department to examine the case of the petitioner and take an earlier decision and to pay the legitimate dues, if any, under the scheme.

Learned counsel for the State submits that in such circumstance, a direction may be issued to the competent authority i.e. Respondent Nos. 2 to 5 to look into the grievance of the petitioner and take an appropriate decision including payment of the legitimate dues, if any, of the petitioner.

Having regard to the facts and circumstances of the case and the submissions noted hereinabove, this Court directs Respondent Nos. 2 to 5 to examine the grievance of the petitioner and take an appropriate view of the matter and, in case, it is found that the petitioner is entitled to get refund of the money or payment of his outstanding amount, the same will be made available to him within a period of two months from today.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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