

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6147 of 2023

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M/s Esskay Builders through its Proprietor Sanjay Malhotra aged about 55 Years Son of Yashraj Malhotra, Resident of E/ 601, Marvel Bounty SR NO. 167/1A, 1B, 168/5, 237/7, Nr. Suzlon, Pune, District-Maharashtra, 411028.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Public Health Engineering Department, Government of Bihar, Patna.
2. The Engineer-in-Chief Cum Special Secretary, Public Health Engineering Department, Government of Bihar, Patna.
3. The Zonal Chief Engineer, Public Health Engineering Department, Muzaffarpur.
4. The Superintending Engineer, Public Health Engineering Circle Darbhanga.
5. The Executive Engineer, Public Health Engineering Division, Madhubani.
6. The Assistant Engineer, Public Health Engineering Sub- Division, Madhubani.
7. The Junior Engineer, Public Health Engineering Department, Jhanjharpur, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate Mr. Lakshmi Kant Sharma, Advocate
For the Respondent/s	:	Mr. Arvind Ujjwal (SC 4)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL ORDER

2 28-04-2023 In the instant petition, petitioner has prayed for the following reliefs:-

"For issuance of appropriate writ/writs, order/orders, direction/directions commanding the respondent authorities especially respondent no.5 for making payment of admitted due amount of Rs.82250/- and amount of standard deduction (SD) Rs. 92150/- deducted from running bill with admissible interest after completion of contract work and handing over the executed work in the year 2012 in pursuance of Agreement no. F2-07//2007-



08 on the agreement value of Rs. 18.45 lacs in the extended time but reason best known to the respondent authorities as to why part of running bill and entire SD amount have not been paid to the petitioner.

Petitioner further seeks any other relief/reliefs for which he is found entitled in the eye of law and in the facts and circumstances of the present case."

2. The present petition is pre-mature for the reasons that the petitioner has not exhausted statutory remedy available to him.

3. Accordingly, the present petition stands disposed of reserving liberty to the petitioner to invoke appropriate remedy.

(P. B. Bajanthri, J)

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