

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20528 of 2016

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M/s Kumar A. S. Construction W/o Shri Anuj Kumar Singh, Resident of
Mohalla - Ashok Nagar, Bhatt Bigha, Gaya, P.S. Rampur, District - Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Engineer in Chief Rural Works Department, Government of Bihar, Patna.
3. The Chief Engineer - 1, Rural Works Department, Government of Bihar, Patna.
4. The Superintending Engineer, Rural Works Department, Work Circle - Gaya, District – Gaya.
5. The Executive Engineer, Rural Works Department, Sherghati Division, District Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Dubey, Advocate Mr. Mamta Vijaya, Advocate Mr. Uma Shankar Singh, Advocate
For the Respondent/s	:	Mr. Kumar Alok- SC 7 Mr. Satyeshwar Prasad, AC to SC 7
For Intervenor Respondent:		Mr. Surendra Kumar Singh, Advocate Mr. Shashi Kant, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

4 09-05-2023 In the instant petition, petitioner has prayed for the

following relief(s):-

“1. For issuance of an appropriate writ/writs, order/orders and/or direction/directions commanding the respondents concerned-to- revise the rate as per at present market rate and to provide free-site as well as grant specific appropriate extension of period of time at least six months from the date of issuance of



further work order to the petitioner to complete the construction of 3 roads i.e., (i) Bhaluhar to Lutua Road Sondata Dumri (ii) G.T. Road to Sobalibigha (iii) Sherghati Neema Road to Ghaghat as the construction of said roads were dropped long back by the Executive Engineer Rural Works Division, Sherghati himself due to land disputes.

Or,

Alternative prayer of petitioner to quash the letter no. 593 dated 24.09.2016 (Annexure-7 to this writ petition) and letter no. 699, dated 26.10.2016 (Annexure-9 to this writ petition) issued by Executive Engineer Rural Works Division, Sherghati by which the petitioner has been directed to complete the construction of said roads i.e., (i) Bhaluhar to Lutua Road Sondata Dumri (ii) G.T. Road to Sobalibigha (iii) Sherghati Neema Road to Ghaghat otherwise he has been threatened for blacklisting his registration and taking other coercive step against him.

II. For issuance direction to the respondents concerned not to take any coercive action against the petitioner in the garb of non-compliance of directions contained in letter No.-593, dated 24.09.2016(Annexure-7 to this writ petition) and letter no. 699, dated 26.10.2016 (Annexure-9 to this writ petition) as the said direction has been given to the petitioner after a long gapping of years to complete the construction work of dropped roads without providing revise rate as per at present market rate and free-site as well as specific adequate extension of period of time.

III. For any other relief/reliefs for which the petitioner is entitled in the eye of law.”

2. Learned counsel for the petitioner submits that in terms of Annexure-E Series of supplementary affidavit filed on behalf of Respondent Nos. 1 to 5 the grievance of the petitioner



is stated to have been redressed and it is not disputed by the learned counsel for the respondent.

3. Accordingly, present petition stands disposed of as it has become infructuous.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

Himanshu/-
Ashish/-

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