

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.7355 of 2023**

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Satyendra Kumar Construction Pvt. Ltd. having its registered office at 202, Hira Enclave, New Dak Bunglow Road, P.S. Kotwali, District Patna through its Director Satyendra Kumar, son of Sri Bhagwan Das, aged about 61 Years, Male, resident of 202, Hira Enclave, New Dak Bunglow Road, P.S. Kotwali, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Secretary, Department of Education, Government of Bihar, Patna.
4. The Bihar State Educational Infrastructure Development Corporation Ltd., (A Government of Bihar Undertaking), Shiksha Bhawan, Bihar Rastra Bhasha Parishad Campus, Acharya Shivpujan Sahay Path, Saidpur, Patna 800004 through its Managing Director..
5. The Managing Director, Bihar State Educational Infrastructure Development Corporation Ltd., Shiksha Bhawan, Bihar Rastra Bhasha Parishad Campus, Acharya Shivpujan Sahay Path, Saidpur, Patna 800004.
6. The Chief Engineer, Bihar State Educational Infrastructure Development Corporation Ltd., Shiksha Bhawan, Bihar Rastra Bhasha Parishad Campus, Acharya Shivpujan Sahay Path, Saidpur, Patna 800004.
7. The Chief Consultant (Technical), Bihar State Educational Infrastructure Development Corporation Ltd. Shiksha Bhawan, Bihar Rastra Bhasha Parishad Campus, Acharya Shivpujan Sahay Path, Saidpur, Patna 800004.

... .. Respondent/s

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**Appearance :**

|                      |   |                                |
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| For the Petitioner/s | : | Mr.Prabhat Ranjan, Advocate    |
| For the State        | : | Ms.Archana Meenakshi, Advocate |
| For the BSEIDC       | : | Mr.Girijesh Kumar, Advocate    |

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**CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI**

**and**

**HONOURABLE MR. JUSTICE A. ABHISHEK REDDY**

ORAL ORDER

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

2      16-05-2023                      In the instant petition, petitioner has prayed for the following relief(s):-

*“(i) Quashing of the Notice to*



*Show Cause contained in Letter No. 2973 dated 31.03.2023 issued by Chief Engineer, after approval from the competent authority, by which the petitioner has been asked to Show Cause within a week as to why, for the act of negligence, misuse of government funds and severe irregularities in connection with the Scheme, appropriate action be not taken in terms of the Agreement and the Registration Rules;*

*(ii) Quashing of the subsequent Letter No. 3521 dated 19.04.2023 issued by the Chief Engineer by which, based on a communication / decision contained in Letter No. 3530 dated 06.05.2022 (Annexure 4), the prayer for supply of the relevant materials have been rejected and the petitioner has been directed furnish reply to the Show Cause Notice.*

*(iii) Declaration to the effect that the defect to liability period for the Tender / work has already expired and direction upon the Respondents to close the Agreement;*

*(iv) Direction upon the Respondents to release the security deposit, pursuant to the completion and closure of the Agreement in terms of Clause 8 read with Clause 41 of the Conditions of Contract;*

*(v) Restraining the Respondents by a writ of prohibition from giving effect to and proceeding further in connection with the Notice to Show Cause contained in Letter No. 2973 dated 31.03.2023 (Annexure 17) during the pendency of the present writ application.”*

2. Earlier the petitioner has approached this Court in filing of CWJC No. 6024 of 2023 insofar as prayer no. 1, 4 and



5. However, he has not revealed in the present petition. In Para 2  
he has pleaded as under:-

*“That the petitioner is a  
citizen of India and has not filed any  
writ application for the self same relief  
arising out of impugned order herein  
before this Hon’ble Court.”*

3. In the light of these facts, petitioner has not  
approached this court with clean hands and he has suppressed  
relating to filing of CWJC No. 6024 of 2023 and its withdrawal.

4. Accordingly, the present petition stands dismissed.

**(P. B. Bajanthri, J)**

**( A. Abhishek Reddy , J)**

abhishek/gaurav

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