

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11916 of 2023

Vijay Kumar S/o- Sri Ram Snehi Singh Resident of Village- Bindidih, P.S.-
Silao, District- Nalanda (Bihar).

... .. Petitioner

Versus

1. The State of Bihar through the Secretary, Building Construction Department, Govt. of Bihar, Patna.
2. The Engineer in Chief cum Additional Commissioner cum Special Secretary, Building Construction Department, Govt. of Bihar, Patna.
3. The Managing Director, Bihar State Tourism Development Corporation Ltd. Beerchand Patel Path, Patna.
4. The Chief Engineer, Bihar State Tourism Development Corporation Ltd. Patna.
5. The Executive Engineer, Bihar State Tourism Development Corporation Ltd. Patna.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Respondent/s : Mr. Amit Prakash (GA-13)

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

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

2 25-08-2023 In the instant writ petition, petitioner has prayed for
the following relief(s):-

“I. For issuance of writ in the nature of mandamus directing the respondents to dispose of the appeal preferred by the petitioner on 16.03.2022 before the the Secretary, Building Construction Department, Bihar. Patna against the suspension order dt. 08.03.2022 passed by the Engineer in Chief cum Additional Commissioner cum Special Secretary. Building Construction



Department, Bihar, Patna.

II. For issuance of writ in the nature of mandamus directing the respondents to vacate the suspension order dt. 08.03.2022 passed by the Engineer in Chief cum Additional Commissioner cum Special Secretary, Building Construction Department, Bihar, Patna and the due amount of the work done by the petitioner with the Tourism Development Department may be paid to the petitioner by the Tourism Development Department which has been forfeited and money due against the work done.

III. For issuance of writ in the nature of mandamus directing the respondents to take into consideration of the petitioner difficulties and grievances due to which the petitioner was facing difficulties in completing the aforesaid ongoing project within prescribed time period.

IV. For issuance of appropriate direction to the respondents to take into consideration of the petitioner's representations through which he addressed the respondents concerning the difficulties and grievances faced by him in the aforesaid project and as per the principle of natural justice, to give him a fair opportunity to hear as the strict action has been taken against the petitioner even without taking consideration of difficulties faced by the petitioner on the work place and not a single step has been taken by the concerned authorities to make sure that the land free from encumbrances at work place will be provided to him.

V. For grant of any other incidental or consequential relief to which



the petitioner may be found entitled to considering the facts and circumstances of the present case.”

02. The petitioner has invoked statutory remedy of appeal before the appellate authority against the order dated 08.03.2022 (Annexure-6) and the same is pending consideration before the appellate authority. Therefore, the appellate authority is hereby directed to decide the petitioner’s appeal within a reasonable period of time of two months from the date of receipt of a copy of this order.

03. Accordingly, the writ petition stands disposed of.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

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