

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13066 of 2022

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M/s Surendra Prasad Singh S/o Late Vindeswari Prasad Singh Resident of
Alka Colony, Sandalpur, P.S.- Bahadurpur, District- Patna.

... .. Petitioner/s

Versus

1. The Bihar State Building Construction Corporation Limited through its Managing Director, Shastri Nagar, Patna.
2. The Managing Director, Bihar State Building Construction Corporation Limited, Shastri Nagar, Patna.
3. The Chief General Manager, Shastri Nagar, Bihar State Building Construction Corporation Limited, Patna.
4. The General Manager (South), Bihar State Building Construction Corporation Limited, Patna.
5. The General Manager (North), Bihar State Building Construction Corporation Limited, Patna.
6. The Deputy Chief General Manager, Bihar State Building Construction Corporation Limited, P.I.U., Munger at Near Basanti Talab, Purabsarai, Munger.
7. The Deputy Chief General Manager, Bihar State Building Construction Corporation Limited, P.I.U., Darbhanga Near Shiv Mandir, Laheriyasari, Darbhanga.
8. The Deputy Chief General Manager, Bihar State Building Construction Corporation Limited, P.I.U. Bhagalpur at House No. 121, Hatiya Road, Tilkamanjhi, Bhagalpur.
9. The Deputy Chief General Manager, Bihar State Building Construction Corporation Limited, P.I.U. Gaya at Gewalbiga More Near Dayal Patrol Pump, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vikas Kumar, Advocate
For the Respondent/s	:	Mr. Tej Bahadur Singh, Sr. Advocate Mr. B.S. Pandey, 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)

8 09-05-2023 In the instant petition, petitioner has prayed for the
following relief(s):-

“a. For quashing of notice published in



local daily Dainik Jagran dated 29.06.2022 issued by the Chief General Manager, Bihar State Building Construction Corporation Limited, Patna whereby and where under agreement for (1) Supply of Fixture and Furniture in ADR Building (Bihar State Legal Services Authority) in Nine Districts namely Nalanda, Begusarai, Siwan, Buxar, Bettiah, Jehanabad, Madhepura, Aurangabad and Munger being Agreement No. 06F2/2020-21, (ii) Installation of Video Projection System, Stage Lighting System and Sound Reinforcement System at Art Gallery, Munger, (iii) Up-gradation and Modernization of Auditorium-Cum-Art Gallery at Bhagalpur, Bihar have been terminated.

b. For quashing and setting aside of order contained in Letter No.363 dated 22.06.2022 issued by Deputy Chief General Manager, Bihar State Building Construction Corporation Limited, P.I.U., Darbhanga whereby and where under agreement for work related of Installation of Video Project System, Stage Lighting System and Sound Reinforcement System in Art Gallery Building of Darbhanga has been cancelled.

c. For direction to the respondent authorities to allow the petitioner to complete the work in all the aforesaid projects namely (1) Supply of Fixture and Furniture in ADR Building (Bihar State Legal Services Authority) in Nine Districts namely Nalanda, Begusarai, Siwan, Buxar, Bettiah, Jehanabad, Madhepura, Aurangabad and Munger, (ii) Installation of Video Projection System, Stage Lighting System and Sound Reinforcement System at Art Gallery, Munger, (iii) Up-gradation and Modernization of Auditorium-Cum-Art



Gallery at Bhagalpur, Bihar and (iv) work related of Installation of Video Projection System, Stage Lighting System and Sound Reinforcement System in Art Gallery Building of Darbhanga for which agreements were executed with the petitioner.

d. For any other relief/reliefs to which the petitioner is found entitled to.”

2. During pendency of the present petition, this Court has passed an interim order giving direction to complete the pending work within a period of 45 days. Thereafter, the concerned respondent proceeded to deduct certain amount from each of the Bill as is evident from Annexure-22(Series), Annexure-23 and Annexure-24. Perusal of the same along with I.A. No. 01 of 2023, it is evident that such civil action against the petitioner is without issuing notice to him.

3. Therefore, the petitioner has made out a case so as to interfere with Annexure-Series-22, Annexure-23 and Annexure-24. They are set aside, reserving liberty to the concerned respondent to proceed in accordance with law after providing detailed show-cause notice in respect of each of the Bills and give opportunity of filing his reply. Further, action should be taken in accordance with law within a period of two months from the date of receipt of the petitioner's explanation to the show-cause notice.



4. Accordingly, writ petition is allowed in part.

5. Pending Interlocutory Application/s, if any, stands disposed of.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

Himanshu/-
Ashish/-

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