

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22202 of 2019

Kartik Prasad, aged about 56 years, Son of Mauji Yadav Resident of Village-Kalyanchak, Post-Dariyapur, District-Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Rural Works Department, Government of Bihar, Patna.
3. The Engineer in Chief, Rural Work Department, Government of Bihar, Patna.
4. The Chief Engineer-2, Rural Work Department, Government of Bihar, Patna.
5. The Chief Engineer-4, Rural Work Department, Government of Bihar, Patna.
6. The Executive Engineer, Rural Work Department, Work Division, Munger.
7. The Assistant Engineer, Rural Work Department, Work Sub Division, Bariyarpur, District-Munger.
8. The Junior Engineer, Rural Work Department, Work Sub Division, Bariyarpur, District-Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. P.K. Jha, Advocate

For the State/Respondents: Mr. Satya Vrat, AC to GP 10

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

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

3 07-02-2023 Heard learned counsels for the respective parties.

In the instant petition, petitioner has prayed for the
following relief/reliefs:

“(i) For issuance of writ in the nature of mandamus commanding and directing the Respondents specially respondent no. 2 to close the Agreement No 29 F²/2008-09 which was made on 13.3.2009 between the petitioner and Bihar Public Work Department for widening and strengthening of road from Sangrampur Gangta P.W.D Road Makanpura to Bhikhadih Road duly executed by the Executive Engineer, Rural Work



Department, Work Division, Munger on 13.3.2009.

(ii) For issuance of further writ in the nature of mandamus directing and commanding the respondents to remove the name of the petitioner from “Black List” and release him from debarring of work so that in future he should not be faced to do work of R.W.D.

(iii) For issuance of writ further in the nature of mandamus directing the respondents to return back the security money of Rs 21 lakhs about to the petitioner.

(iv) For issuance of writ further in the nature of mandamus directing the respondents to return back the security money of Rs. 21 lakhs about to the petitioner.

(iv) And/or pass such other order or orders as deemed fit and proper in the interest of justice.”

Learned counsel for the petitioner, on instruction, submitted that prayer (ii) do not survive for consideration, since it was redressed by the concerned authority. Having regard to the remaining reliefs sought in the present petition, writ is not maintainable. Accordingly, the present writ petition stands disposed off reserving liberty to the petitioner to invoke appropriate remedy before the appropriate forum/authority.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

GAURAV S./-

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