

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14489 of 2023

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M/s Narsingh Construction Gangjala Saharsa, through its Partner Pratap Kumar Singh, aged about 48 Years, Male Son of Late Jai Mangal Singh, Resident of Shastri Nagar, Sipahi Tola, Ward No. 3, P.S. K. Hat, District Purnia, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Engineer in Chief, (Works Management), Road Construction Department, Government of Bihar, Patna.
3. The Chief Engineer, Simanchal Division, Road Construction Department, Government of Bihar, Patna.
4. The Superintending Engineer Road Construction Department, Works Circle, Saharsa, District Saharsa, Bihar.
5. The Executive Engineer, Road Construction Department, Road Division, Khagaria, District Khagaria, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan, Advocate

For the Respondent/s : Mr.Sajid Salim Khan (Sc 25)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 16-10-2023

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

***“(i) Revision of the estimate and Bill
of Quantity in connection with Agreement No.***



02/CMBD/2014-15 wherein admitted dues on account of defect in the Technical sanction the quantity of work to be done under the head of Road marking was incorrectly calculated as 812.70 Meter Sq. in place of 3096 Miter Sq. and additionally 5% Zebra Cross 154.8 Miter Sq. total amounting to 3250 Sq.;

(ii) Direction upon the Respondents to make the payment of the admitted dues of Rs. 17,58,734.00 in connection with the work of 3250.8 Miter sq. of Road marking which has been completed and for which a requisition has been send to the Department vide Letter No. 583 dated 10.08.2020; and

(iii) Direction upon the Respondents Engineer in Chief to take action in terms of the recommendation by the Chief Engineer for payment of the amount of the work done by the petitioner in terms of Letter No. 844 dated 30.07.2022.”

3. In support of the petitioner's monetary claim, he is relying on Annexure-P/5, dated 10.08.2020. *Prima facie*,



certain technical issues are involved in the matter in respect of relief sought by the petitioner. This Court is not expert body so as to examine grievance of the petitioner & determine monetary claim, when there is no specific determined amount is to be paid to the petitioner. Accordingly, the present petition stands dismissed.

4. The dismissal of the present petition would not be a hurdle for the petitioner to invoke appropriate remedy, which is available to him.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.10.2023
Transmission Date	NA

