

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6765 of 2023

Kiran Devi @ Kiran Kumari Wife of Promod Kumar Director of Varenva
Kiran Energy Pvt. Ltd Reg. Office-Yamuna Engineering Gali, Main Road,
Kankarbagh (In front of Jalan Shop), Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
2. The Joint Director, Unban Development and Housing Department, Govt. of Bihar, Patna.
3. The Commissioner, Kosi Division, Saharsa.
4. The District Magistrate, Supaul.
5. The Executive Officer, Nagar Panchayat Birpur, Supaul.
6. The Sub-Divisional Officer, Birpur, Supaul.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Vinod Kumar, Adv.
For Resp. No. 5	:	Mr. Abhay Shankar Singh, Adv.
For the Respondent/s	:	Mr.Yogendra Pd. Sinha (AAG 7)

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

17 30-09-2024 Heard learned counsel for the parties.

2. The present writ petition has been filed for the
following relief(s):-

“(1) For issuance of writ/writs, order/orders, direction/directions in the nature of mandamus commanding the Respondent Authorities to pay the residue amount of Rs. 25,14,008/- (Twenty Five Lakhs Fourteen Thousand Eight Only) in the concerned with Nagar Panchayat, Birpur, District Supaul regarding



invitation to tender No 06/2019- 2020 bearing group No. 01/2019-2020 whereas petitioner completed the work on 30.03.2022 related to RCC work from main Road Birpur Old market, Birpur, Supaul.

(ii) Issue direction to the Respondent Authorities to pay the residue amount of Rs.47,07,328/- (Rupees Forty Seven Lakhs Seven Thousand Three Hundred Twenty Eight Only) after completion of work on 30.03.2022 of Nala Scheme in nagar Panchayat Birpur from Padm Pan Shop to Ahiyadhar regarding invitation to tender No 06/2019-2020 bearing group no-11/2019-2020.

(iii) Issue direction to the Respondent Authorities to pay the residue amount of Rs. 61,71,169.79/- (Rupees Sixty one Lakhs Seventy One Thousand one Hundred Sixty Nine and Sixty Nine Paisa) after completion of work in concerned with Nagar Panchayat Birpur, Supaul of RCC work from Gol Chowk to Old Market under ward No-04 and Ward No-08 respectively regarding invitation to tender No-06/2019-2020 bearing group No 12/2019-2020.

(iv) Issue direction to the Respondent Authorities to pay 12% interest on the residue amount regarding invitation to tender 06/2019-2020 bearing group no 01/2019-2020 group No 11/2019-2020 and group no. 12/2019-2020 respectively within a certain period.(v) For issuance of any other relief/reliefs as to which petitioner



may found entitled to in the facts and circumstances of the case.”

3. Though the counsels have argued at length on the merits of the case, this Court is not inclined to go into the same as there are seriously disputed questions of facts which cannot be gone into by the Court in the present writ petition adjudicating under Article 226 of the Constitution of India. The present writ petition is disposed of granting liberty to the petitioner to give a detailed representation to the authority concerned, i.e., Respondent No. 5 within a period of two weeks from the date of receipt of a copy of this order. On such representation being given, the authority concerned shall pass necessary orders and make necessary payments to the petitioner if any amount are found dues. In case the claim of the petitioner is found to be genuine, the authority concerned shall pay the amounts due to the petitioner within a period of four weeks of the passing of the said order. In case, the claim of the petitioner is rejected, the authority concerned shall pass a reasoned order giving the reasons for rejecting the claim.

4. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of receipt of the representation from the petitioner.



5. With the above directions, the present writ petition
stands disposed of.

(A. Abhishek Reddy , J)

Bhardwaj/-

U			
---	--	--	--

