

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12539 of 2023

Divakar Choudhari, Gender-Male, aged about 61 years, son of Late Krishna Choudhari, Resident of Mohalla-Rajani Chowk, PS-K Hat, District-Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Engineer in Chief, Road Construction Department, Bihar, Patna.
3. The Chief Engineer, Road Construction Department, Patna.
4. The Superintending Engineer, Road Construction Circle, Purnia.
5. The Executive Engineer, Road Construction Department, Road Division, Purnia.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Parashuram Singh, Advocate.

For the Respondent/s : Mr.Manish Kumar, GP-4.

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

5 19-04-2024

I.A. No. 01 of 2024

For the reasons mentioned in the Interlocutory Application No. 01 of 2024, the same is allowed.

Registry is directed to make necessary changes accordingly.

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Heard learned counsel for the parties.

2. The present Writ Petition has been filed for the following reliefs:-

“(i) For issuance of an appropriate writ/order/direction in the nature of mandamus to command the respondents to pay the admitted



dues amounting to Rs. 9,11,464/- (Nine lakh eleven thousand four hundred sixty four) with bank rate interest to the petitioner.

(ii) Respondents concerned be directed to look into the petitioner's grievances regarding non-payment of admitted dues to the petitioner even after oral and written demand made by the petitioner to the respondents.

(iii) The Respondents' act of not paying admitted dues to the petitioner be declared as highly arbitrary, illegal and an act played as a dirty gimmick only to defeat the genuine and legal right of the petitioner.

(iv) Erring respondents be sternly dealt with for their misdeed, misdemeanour and defying act done on extraneous consideration."

3. Learned counsel appearing on behalf of the petitioner has stated that by mistake the representations have been given to the Road Construction Department whereas they should have been given to the Rural Works Department. Learned counsel, therefore, seeks a direction from this Court to permit the petitioner to give due representations to the Rural Works Department and the Rural Works Department may be directed to consider the same and pay the admitted dues to the petitioner.

4. Having regard to the above made submission, the present writ petition is disposed of granting liberty to the petitioner to give suitable representation to the Rural Works Department ventilating his grievance along with the necessary documents within a period of four weeks from the date of



receipt of the copy of this order. On such representations being filed, the authority concerned of the Rural works Department shall consider the same and pass necessary orders strictly in accordance with law and if the claim of the petitioner is found to be true, make the necessary payments to the petitioner. The entire exercise shall be completed as expeditiously as possible preferably within a period of twelve weeks from the date of the receipt of the representation made by the petitioner.

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

(A. Abhishek Reddy, J)

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