

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.431 of 2025

M/S Avantika Contractors (I) Ltd. 610 B, Nilgiri Block, Aditya Enclave, Ameerpet, Hyderabad through its authorized Signatory Avinash, aged about-50 years, S/O- Baliram Pandey, Resident of Village- Hanuman Nagar, Ward No. 09, P.S.- Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Principal Secretary, Building Construction Department, Government of Bihar, Patna.
- 2. The Principal Secretary, Building Construction Department, Government of Bihar, Patna.
- 3. The Engineer-In-Chief, Building Construction Department, Government of Bihar, Patna.
- 4. The Chief Engineer, North Division, Building Construction Department, Government of Bihar, Patna.
- 5. The Superintending Engineer, Building Division, Sitamarhi.
- 6. The Executive Engineer, Building Division, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar, Advocate
For the Respondent/s : Mr. Standing Counsel (11)

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

4 30-06-2025 It is stated by the learned counsel for the petitioner that insofar as the prayer no.1 sought for in the present writ petition is concerned, the same has become infructuous as the grievance of the petitioner with regard to the same has already been redressed. Insofar as the prayer no.2 is concerned, it is stated that though the authorities have released the bank guarantee, but they are yet to issue a letter to the bank for canceling the bank guarantee. It is further stated by the learned counsel that insofar as prayer no.3 is concerned, an amount of



Rs. 63,449 was deducted from the 10th bill of the petitioner towards the time extension. However, in the counter affidavit filed by the respondents, it is stated that the delay was only due to the non-availability of land and the delay in completing the work, is not attributable to the petitioner.

2. Having regard to the same, the present writ petition is disposed of directing the respondents to issue a letter to the concerned bank for canceling the bank guarantee given by the petitioner. Insofar as the prayer no.3 is concerned, the petitioner is directed to give a suitable representation for refund of Rs. 63,449 to the authority concerned i.e. respondent no.4 within a period of four weeks from today. On such representation being given, the respondent no.4 shall consider the same and pass necessary orders for refund of the said amount. In case the claim of the petitioner is rejected, the reasons for rejection shall be stated. The entire exercise shall be completed as expeditiously as possible preferably within a period of four weeks from the date of representation by the petitioner.

3. As it is stated by the learned counsel for the petitioner that though the building has been completed in the year 2013, the physical possession of the building is yet to be taken by the respondent-authorities. Having regard to the same,



the authorities shall take a necessary steps for taking physical possession of the building from the petitioner at the earliest.

4. With the above directions, the writ petition stands disposed of.

(A. Abhishek Reddy , J)

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