

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13085 of 2018

=====

M/s Savitri Construction Head Office at Village – Khiddi, P.O. - Khaira (Rajone), District Baanka through Savitri Devi Wife of Sri Vishnudev Thakur, Resident of Village-Khiddi, P.O.-Khaira Rajone District-Baanka.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Engineer In Chief, Road Construction Department, Government of Bihar, Patna.
3. The Chief Engineer, Road Construction Department, Road Division, Bhagalpur.
4. The Superintending Engineer, Road Construction Department, Road Division, Bhagalpur.
5. The Executive Engineer, Road Construction Department, Road Construction Division, Bhagalpur.
6. The Assistant Engineer, Road Construction Department, Road Construction Sub Division, Navgachhiya.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ranjeet Kumar, Advocate
	:	Mr. Kanishk Kaustubh, Advocate
	:	Mr. Ankesh Kumar Sinha, Advocate
	:	Mr. Rajnish Prakash, Advocate
For the Respondent/s	:	Mr.Divit Vinod, AC to Sc-26

=====

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT

Date : 09-09-2025

1. The Writ petition is filed for the following
reliefs:-

*“i. For issuance of direction to the
respondent authorities to prepare the bill
and make payment to the petitioner as
per final measurement Report dated
15.03.2016, as the final measurement*



report clearly reveals that the petitioner executed 1 Km PQC Work and also completed WMM Work but no bill for the said admitted work was prepared and no payment was paid to the petitioner, in spite of submission of Representation on 08.04.2017, before the Executive Engineer, Road Division, Bhagalpur and copy thereof was also forwarded to the Superintendent Engineer, East Bihar, Road Circle, Road Construction Department, Bhagalpur.

ii. For issuance of direction to the respondent authority to pay the bill of Rs.12 Lacs, relating to earth work which was submitted by the petitioner on 31.05.2015.

iii. For further direction to the respondent authorities to return the security deposit of Rs. 12 lacs and earnest money of Rs. 8.50 Lacs with adequate interest.

iv. For that the petitioner further prays to return the deducted amount of 10% time extension which cum round 10.50 Lacs with adequate interest as the SBD/Speedy do not prescribes any provision deducted relating to time extension.



v. For that the petitioner further prays to direct the respondent authorities to return held up money of Rs. 6.64 Lacs with adequate interest.

vi. For any other relief for which the petitioner may be deemed entitled to.”

2. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondents.

3. It is urged by the Learned counsel for the petitioner that the petitioner was allotted with certain works of the Department which were duly executed but payments were not made.

4. On the other hand, the counter affidavit of the respondents disclose that payments have been made.

5. During the course of arguments, it was urged by the Learned counsel for the petitioner that the respondents have not clearly specified the exact amount paid to the petitioner. He, therefore, sought liberty to file an appropriate representation before the Respondent No. 5 i.e. the Executive Engineer,



Roads and Construction Department with full details, for which the petitioner is entitled to, to enable the Executive Engineer either to make payments for the admitted amounts or to pass a speaking order basing on the representation.

6. Therefore, this Court, without going into the merits of the case, directs the petitioner to make an appropriate representation before the 5th respondent along with all relevant documents to enable the Executive Engineer/5th respondent to examine and adjudicate the claims of the petitioner. The representation shall be filed within four weeks from the date of receipt of this order, along with this order copy and in turn, the Executive Engineer/5th respondent shall complete the entire exercise within three months and shall pass a speaking order and if the petitioner is found entitled for the amount, the said amount shall also be paid to the petitioner.

7. It is needless to mention that before passing any order, all the concerned parties shall be given an opportunity of hearing. Any order passed shall be communicated to the party.



8. With the aforesaid observation, the Writ petition is disposed of.

9. Interlocutory Application(s), if any, shall also disposed of.

(G. Anupama Chakravarthy, J)

amitkr/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	15.09.2025
Transmission Date	N/A

