

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6970 of 2025

M/s Mukesh and Anand Construction through its working partner Mr. Mukesh Kumar Singh, Aged about 49 Years, (Male), Son of Late Ram Balak Singh, Resident and Official Address- Village- Ekderawa Masuriya, P.O. and P.S. - Maker, District - Saran - 841215, At present Resides at Mohalla - Ghurdaur Road, Surendra Enclave, Flat No. 301, P.O.- Digha, P.S. - Rajiv Nagar, District- Patna - 800011.

... .. Petitioner/s

Versus

1. Bihar Rajya Pul Nirman Nigam Limited through its Managing Director, 7, Sardar Patel Marg, Patna - 15.
2. The Managing Director, Bihar Rajya Pul Nirman Nigam Limited 7, Sardar Patel Marg, Patna - 15.
3. The Dy. Chief Engineer, Works Circle- 2, Bihar Rajya Pul Nirman Nigam Limited 7, Sardar Patel Marg, Patna - 15.
4. The Senior Project Engineer, Bihar Rajya Pul Nirman Nigam Limited, Works Division, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Manish Sahay, Adv. Mr. Anil Kumar Sinha, Adv. Mr. Amrit Kirti, Adv. Mr. Siddhartha Aditya, Adv. Mr. Aman Raj, Adv.
For the Respondent/s	:	Mr. P.K.Shahi, Sr. Adv. Mr. Shivesh Sinha, Adv.

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

2 29-07-2025 Heard the learned counsel for the parties.

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

“(I) For commanding and directing the concerned Respondent to consider the representations of the petitioner; issued vide letter Nos. 15 and 25 Anu dated 30.01.2024 and 24.12.2024 respectively (i.e. Annexure-P-4 Series) and dispose of the same in accordance



with law as early as possible because the same are still pending.

(II) For declaring that the actions of the respondents are arbitrariness, discriminatory and colourable exercise of power because they have knowingly kept pending the matter of the petitioner since long back on the other hand similar grievance of another contractor namely "B.K. Builders-RKD (JV) has been redressed since long back.

(III) For passing such and order or orders for which the petitioner would be entitle in accordance with law in the facts and circumstances of this case."

3. Learned counsel for the petitioner states that he has made a suitable representation to the Respondent No. 4 regarding the payment of differential amount of lead of sands and also overhead charges, however, the same has not been disposed of till now. Learned counsel seeks a direction from this Court to direct the Respondent No. 4 to consider the representation dated 24.12.2024 and pass necessary orders to make the necessary payment.

4. *Per contra*, the learned counsel appearing on behalf of the respondents has stated that the competent authority for taking a decision and making the necessary payment is the Respondent No. 2 and submits that the petitioner may be



directed to give a fresh representation to the Respondent No. 2 and the same shall be considered in accordance with law.

5. Having regard to the above made submissions, the present writ petition is disposed of at the stage of Admission without going into the merits or demerits of the case, the petitioner is directed to file a fresh representation before the Respondent No. 2 within a period of four weeks from today. On such representation being given, the Respondent No. 2 shall consider the same and pass necessary orders for making the payments. In case the claim of the petitioner is found to be genuine, the authority shall make the necessary payments as expeditiously as possible preferably within a period of eight weeks from the date of receipt of the copy of the representation. In case the authority comes to the conclusion that the claim of the petitioner does not merit any consideration, they shall pass a reasoned order giving reasons for such rejection. Any order passed shall be communicated to the party.

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

(A. Abhishek Reddy , J)

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