

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22135 of 2018

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Ramakant Singh Son of Late Ram Khelawan Singh, Resident of 101, Lotus Apartment, New Patliputra Colony, P.S.- Patliputra, District and Town- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Department of Tourism, Bihar Old Secretariat, Patna.
3. The Director, Department of Tourism, Government of Bihar Old Secretariat, Patna.
4. The Bihar State Tourism Development Corporation Limited A Govt. of Bihar undertaking through its Managing Director, Birchand Patel Path, Patna.
5. The Managing Director, Bihar State Tourism Development Corporation Limited A Govt. of Bihar Undertaking) Birchand Patel Path, Patna-800001 (Bihar).
6. The General Manager, Bihar State Tourism Development Corporation Limited A Govt. of Bihar undertaking), Tourist Complex, Bodhgaya, (Bihar).
7. The Manager, Bihar State Tourism Development Corporation Limited A Govt. of Bihar undertaking) Tourist Complex, Bodhgaya, (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Lal Babu Singh
For the State	:	Mr. Kumar Mangalam, AC to SC 24
For the Resp. No. 4 to 7	:	Mrs. Anukriti Jaipuriyar, Advocate

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT
Date : 19-09-2025

1. The present Writ petition has been filed for the following reliefs:-

“(i) For quashing of the letter dated 26.07.2018 issued by the respondent General Manager, Bihar State Tourism Development Corporation Limited directing the petitioner to make a



payment of Rs. 3,40,727/- for releasing the Security Deposit.

(ii) For a direction to the Respondents to release the Security Deposit after expiry of allotment period in terms of the Allotment Order dated 04.01.2013.

(iii) For a further direction to the respondents to pay the interest to the petitioner for illegal and unauthorized withholding of security deposit after expiry of allotment period.

(iv) For a declaration that the Respondents cannot impose conditions for releasing security deposit.

(v) For any other relief or consequential reliefs to which the petitioner may be found entitled to in the facts and circumstances of this case.

2. The brief facts as culled out from the Writ petition is that the respondent Bihar State Tourism Development Corporation Limited (hereinafter referred as BSTDC) in the year 2012 floated tender and invited bids from registered Companies and individuals for operation and maintenance of 'Hotel Vishnu Vihar, Gaya on "As is where is" basis. The petitioner in his individual capacity participated the



tender process and submitted his bid and accordingly was allotted with license for maintaining the Hotel Vishnu Vihar, Gaya vide Allotment Order dated 04.01.2013. The petitioner was regularly paying the management fees as per the agreement. Later, it has come to the notice of the petitioner that a fresh Short Tender Notice dated 09.03.2018 was published in the Daily Newspaper on 14.03.2018 and the petitioner has filed his objection before the respondents by way of representation and requested to withdraw the Short Tender Notice.

3. Aggrieved by the said floating the tender the petitioner has preferred CWJC No. 5212 of 2018 for quashing of the Short Tender Notice. The Writ petition was dismissed by this Court vide order dated 22.03.2018. Being aggrieved by the Judgment of the Single Judge, the petitioner preferred LPA No. 421 of 2018 and the Division Bench of this Court vide Judgment dated 05.04.2018, did not interfere with the order of Single Bench dated 22.03.2018. Being aggrieved by the orders of the LPA, the petitioner once again approached the Hon'ble Apex Court. The



Hon'ble Apex Court also did not interfere with the orders of the Division Bench in LPA No. 421 of 2018 and dismissed the SLP vide order dated 18.04.2018. However, Hon'ble Apex Court granted two months time to the petitioner to vacate the premises and to hand over the property.

4. Further, the respondent B.S.T.D.C. vide letter dated 26.03.2018 directed the petitioner to vacate the premises on/or before 07.04.2018. The petitioner continued in the premises for further period for which the respondents have not released the Security Deposit of the petitioner and further demanded the petitioner to pay Rs. 3,40,727/-. Being aggrieved by the same, the present Writ petition is filed.

5. A detailed counter affidavit was filed by the respondents B.S.T.D.C. It is the specific contention of the respondents that in spite of the orders of the Hon'ble Apex Court, the petitioner did not vacate the premises and continued to commercially run the hotel till 07.05.2018. Hence the petitioner is liable to pay the license fee for the



period he has commercially run the said property and finally vacated it. In spite of demand, the petitioner did not pay the amount therefore, the Security Deposit was withheld.

6. During the course of arguments, on 01/09/2025, the Learned counsel for the petitioner sought for an adjournment for filing an undertaking before the Court, that the amount of Rs. 3,40,727/- may be deducted from the Security Deposit. Accordingly, the petitioner filed the supplementary affidavit before the Court on 12.09.2025. The contents of the supplementary affidavit disclose that the respondents may deduct an amount of Rs. 3,40,727/- from the aforesaid security deposit of Rs. 34,29,193/- and after such deduction the respondents may release the balance security amount in favour of the petitioner or alternatively petitioner may deposit the said amount before the respondents and after receipt of the amount the respondents may be directed to release the entire security amount of Rs. 34,29,193/- in favour of the petitioner.



7. Heard the Learned counsel for the petitioner and the Learned counsel for the Respondents.

8. As the amount of the petitioner is lying with the respondents, the respondents are directed to deduct the amount of Rs. 3,40,727/- from the Security Deposit of the petitioner and they shall release the balance security deposit amount to the petitioner within two months from the date of receipt of this order.

9. With the aforesaid observation, the Writ petition stands disposed of.

(G. Anupama Chakravarthy, J)

Ranjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.09.2025.
Transmission Date	

