

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13683 of 2025

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Gangadhar Narayani Construction Pvt. Ltd. through its Managing Director Sri Abhay Kumar Mishra, aged about 58 years, Gender- Male, Son of Sri Chandrama Mishra, resident of Sankat Mochan Nagar, No. 1, New Police Line, P.O. and P.S. Nawada, Ara District Bhojpur. At present residing in Flat No. G1. Girija Nandan Enclave IAS Colony, P.O. and P.S. Rupaspur, Khagaul, Patna- 801503.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat Building, Patna.
2. The Secretary, Minor Water Resources Department, Government of Bihar, Patna.
3. The Additional Chief Secretary, Finance Department, Government of Bihar, Patna.
4. The Chief Engineer, Minor Water Resources Department, Government of Bihar, Patna.
5. The Superintending Engineer (Monitoring), Minor Water Resources Department, (Headquarters), Government of Bihar, Patna.
6. The Executive Engineer, Minor Irrigation Division, Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jai Vardhan Narayan
For the Respondent/s : Mr.Advocate General

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-12-2025 1. Heard the parties.

2. Petitioner is aggrieved by excess deduction of royalty to the tune of Rs. 18.66 lakh for the renovation work of Sakraudha Aahar Pine Irrigation Project performed by the petitioner.

3. Learned counsel for the petitioner submits that petitioner was given renovation work of the aforesaid irrigation project and as per the agreement the petitioner was liable to pay royalty



upon excavation of soil at the rate of Rs. 22/- per cubic meter. The respondent authorities instead of deducting royalty @ Rs. 22/- per cubic meter kept on deducting royalty at higher rate over and above the rate mentioned in the agreement and a sum of Rs. 18.66 lakh has been deducted in excess. The Executive Engineer, Minor Irrigation Division, Jehanabad vide his letter dated 23.07.2024 wrote to the Superintending Engineer (Monitoring), Minor Water Resources Department, Government of Bihar, Patna addressing the issue regarding excess deduction of royalty at excessive rate for the renovation work in question and demanded additional allocation of Rs. 18.66 lakh in order to pay the aforesaid amount which was deducted in excess to the petitioner. Learned counsel further submits that petitioner in the circumstances has filed representation before the Secretary, Minor Water Resources Department, Government of Bihar on 20.03.2025 (Annexure -P15) which is still pending.

4. Learned counsel for the State submits that Secretary, Minor Water Resources Department may be directed to dispose the representation at Annexure-P15 after examining all the relevant documents including the agreement.

5. Considering the submissions made by the parties and taking into consideration the nature of dispute, this writ



application is disposed with a direction to the respondent no. 2- Secretary, Minor Water Resources Department, Government of Bihar, Patna to decide the representation of the petitioner at Annexure -P15 by a speaking and reasoned order after giving opportunity of hearing to the petitioner within a period of three months from the date of receipt / production of a copy of this order.

6. The writ petition stands disposed in the aforesaid terms.

(Anil Kumar Sinha, J)

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