

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12613 of 2018

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Rana Pratap Singh Son of Late Tej Narayan Singh resident of Mohalla - North
Mandiri, Police Station - Kotwali, District - Patna the then Bihar Tourism
Development Corporation, Bihar, Patna.

... .. petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Department of Tourism,
Government of Bihar, Patna
2. Managing Director, Bihar State Tourism Development Corporation.
3. Secretary, Tourism Department, Govt. of Bihar, Patna.
4. Assistant Director (Adv.) Tourism Department, Govt. of Bihar, Patna.
5. Manager, Tourism Bihar State Tourism Development Corporation, Patna.

... .. Respondent/s

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Appearance :

For the petitioner/s	:	Mr. Vikram Singh, Advocate
For the State	:	Mr. Sita Ram Yadav -GP 16 Mr. Yatindra Narayan, AC to GP 16 Mr. Jitendra Kumar, AC to GP 16
For the BSTDC	:	M/s Anukrit Jaipuria, Rajnikant Kumar Priti Mohate, Advocates

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 08-07-2025

1. The petitioner has filed the instant
application for the following reliefs:

*“(i) For issuance of appropriate
writ/order/direction commanding the
respondents to pass appropriate order/work
order in pursuance of the
decision/approval/recommendation of Film
selection committee decided as between
20.04.2015 to 7.5.2015 (Annexure-6) in
favour of the petitioner.*

(ii) For issuance of appropriate



writ order/direction commanding the respondents to dispose of the representation of the petitioner made before the respondents no. 2.

(iii) For issuance of appropriate writ/order/direction commanding the respondents to make reasonable payment (Advances) for the investment upto 10 lakhs made by the petitioner in pursuance of the aforesaid official order dated 20.4.2015 proceeded to complete the 16 Films approved by the Film Selection Committee of the department.

(iv) For issuance of appropriate writ/order/direction commanding the respondent to pay alternatively penal as well as commercial interest for investment made by the petitioner from his retiral amount received by the petitioner from respondents.

(v) For issuance of any other relief or reliefs as your Lordship deems fit and proper in the facts and circumstances of the case.”

2. In brief the case of the petitioner is that the petitioner served with the Bihar State Tourism Development Corporation Limited (BSTDCL) from



1983, until his retirement i.e. May 2017 as Manager (Transport-Maintenance). During his service, he was posted at various tourist centers across Bihar and Jharkhand, and, in addition to his official duties, he was engaged in creative activities for the development of tourism in the state. He was also recognized by the Corporation for his exceptional contributions: and was awarded Rs. 400/- vide Office Order No. 64 dated 23.08.2003 for undertaking difficult assignments, and was further conferred with the "Best Performance Award" vide Office Order No. 664 dated 15.05.2009. It is submitted that the petitioner was also granted the pay scale of Manager vide Office Order No. 52, dated 04.08.1992 in recognition of work that led to a 50% increase in the Corporation's income.

3. The petitioner asserts that between 2012 and 2014, he independently created 16 documentary/short films titled "*Bihar Darshan*", aimed at promoting tourism in Bihar. He submitted a representation for approval of this project to



Respondent No. 5 on 10.02.2015, for its alignment with Government of India tourism policy. Subsequently, a selection committee was constituted by the respondents vide memo no. 09/06/T.T/part file 2013/906/2015 dated 20.04.2015.

4. The Learned counsel for the petitioner submitted that the petitioner appeared before the committee on 21.04.2015, presented his project, and gave an undertaking for necessary modifications. After multiple presentations, the selection committee approved and recommended the project for production on DAVP rates for the period i.e. 20.04.2015 and 07.05.2015.

5. It is further submitted by the Learned counsel for the petitioner that despite repeated representations dated 14.09.2015 and 07.10.2015 requesting the issuance of a formal work order, no such order was given to the petitioner. As a result, the petitioner's efforts remained unacknowledged and unfulfilled and no payment has been made for the work done by the respondent Corporation to



the petitioner.

6. A detailed counter affidavit was filed on behalf of Respondent Nos. 2 and 5, denying the contentions of the Writ petition. It is stated that the petitioner was an employee of the Bihar State Tourism Development Corporation Limited (BSTDCL) from 1983 to 2017, and he was never officially assigned the task of producing any documentary or short films for the promotion of tourism in the State of Bihar.

7. The respondents further contended that the 16 documentary/short films referred to by the petitioner were produced independently by him without any official approval, sanction, or work order of the Corporation during 2012-2014. The petitioner himself admits in the writ petition that the films were created solely on the basis of his own creativity, skill, and labour. It was only after their completion that he submitted a proposal dated 10.02.2015 seeking post facto approval. However, pursuant to the said representation, a Film Selection Committee was constituted on



20.04.2015 to screen and scrutinize the said films. Though the committee submitted its report, no formal work order or final approval was issued by the competent authority. The respondents contend that any decision to approve or sanction the work lies solely within the discretion of the Corporation, and mere screening or recommendation by the committee does not amount to approval or create any binding obligation.

8. It is submitted by the Learned counsel for the respondent Corporation that in the absence of any formal work order, there exists no legal liability on the part of the Corporation to release any payment. The petitioner undertook the project voluntarily, and the respondents never directed or authorized the same. Therefore, the claim for payment is misconceived and lacks any legal foundation and prayed to dismiss the Writ petition as devoid of merits.

9. Heard the Learned counsel for the petitioner and the Learned counsel for the respondents.



10. Upon consideration of the pleadings and materials on record, and particularly the counter affidavit filed by Respondent Nos. 2 and 5, it appears that the respondent Corporation has categorically denied the petitioner's claim. Approval was never granted by the respondent authorities for the production of 16 documentary/short films in question. The Film Selection Committee merely provided its observations and suggestions. The final decision, regarding the issuance of work order, was the discretion of the 2nd Respondent. Admittedly work order not issued to the petitioner till date.

11. In the absence of such a work order, the claim for payment raised by the petitioner is untenable in the eye of law and devoid of merits. The films in question were produced voluntarily by the petitioner, based on his own initiative without any prior approval from the Corporation. Therefore, no financial liability can be imposed upon the Corporation in this regard.

12. However, the petitioner has prayed, as



relief No. ii, for a direction to the respondents to dispose of the representation of the petitioner made before the respondent No. 2.

13. In this regard, the respondents are directed to consider and dispose of the representation, if any, pending within a period of three months, in accordance with law, from the date of receipt / production of a copy of this order.

14. So far as other reliefs are concerned, this Court is of the considered view that the same are devoid of merits and do not warrant any interference.

15. Accordingly, the writ petition is disposed of with the aforesaid observations.

16. Interlocutory Application(s), if any, shall stand disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.07.2025
Transmission Date	

