

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1900 of 2025

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M/s Shankar Prasad Singh and Company through its Partner Shankar Prasad Singh, male, aged about 69 years, Son of Late Badri Singh, resident of Village - Sihma, Post- Matihani, District - Begusarai.

... .. Petitioner/s

Versus

1. The Union of India through the Divisional Railway Manager, Northeast Frontier Railway, Katihar Division, At and P.O. - Katihar, District- Katihar.
2. The Divisional Railway Manager, Northeast Frontier Railway, Katihar Division, At and P.O. - Katihar, District - Katihar.
3. The Divisional Engineer-III, Northeast Frontier Railway, Katihar Division, At and P.O. - Katihar, District - Katihar.
4. The Assistant Divisional Engineer, Northeast Frontier Railway, Siliguri Junction, District - Siliguri.
5. The Senior Section Engineer (P.Way) Northeast Frontier Railway, Siliguri Junction, District- Siliguri.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar, Advocate.
For the Respondent/s	:	Mr. Additional Solicitor General.
For the UoI	:	Mr. Awadhesh Kumar Pandey, Advocate.

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

5 12-05-2026 Heard the learned counsel for the parties.

2. The present Writ Petition has been filed for the following relief(s):-

“To issue an appropriate writ/order/direction in the nature of mandamus directing the Respondents especially the Respondent No. 2, the Divisional Railway Manager, Northeast Frontier Railway, Katihar Division, to make (i) payment of Final Bill amount of Rs. 1,68,221.17 (Rupees One Lakh Sixty



Eight Thousand Two Hundred Twenty One point one seven only) (ii) refund of security deducted from running on account bills of Rs. 1,61,000/- (Rupees One Lakh Sixty One Thousand Only) and (iii) TDR deposited as earnest money, along with interest from the due date till the date of actual payment.”

3. At Para-6 and 7 of the counter-affidavit filed by the Respondent-Railways, it is stated as under:-

“6. That the signature of contractor is required in Original copy of SCA of Rs. 18,97,960.04 to get finance vetting which is required to process for passing of pending final bill of Rs. 1,68,221.17.

A letter has already been issued to the agency vide letter No. W/362/02/BPMS/Ballast/W-2 dated 01.09.2025 to attend this office at any working day for signature of original Subsidiary Contract Agreement (SCA) for modification of contract agreement.

7. That after admitting in to internal check and vetting of SCA by associates finance, the pending bill will be processed for passing.

Thereafter, passing of final bill, releasing of Earnest money and S.D. money will be processed in favour of agency.”

4. Having regard to the above averments made, the petitioner is directed to approach the respondent-authority for signing of the Original Subsidiary Contract Agreement (SCA)



for modification of the contract within a period of 10 days from the date of the receipt of the copy of this order. On the petitioner approaching the authority and signing the subsidiary contract agreement, the balance pending bill amount of Rs. 1,68,221.17 shall be paid to the petitioner immediately and, thereafter, the authorities are directed to release the earnest money and the security deposit money within a period of 4 weeks thereof.

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

(A. Abhishek Reddy, J)

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