

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5681 of 2026

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Chandan Kumar S/o Arun Kumar Singh, R/o Chitrakut Nagar, Road No. 07,
B.B. Ganj, P.S.- Bhagwanpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
3. The Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
4. The Chief Engineer, Public Health Engineering Department, Govt. of Bihar, Patna.
5. The Zonal Chief Engineer, Public Health Engineering Zone, Muzaffarpur.
6. The Superintending Engineer, Public Health Engineering Circle, Muzaffarpur.
7. The Executive Engineer, Public Health, Division, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Siyaram Pandey, Advocate
For the State : Mr. Alok Ranjan, AC to AAG

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH)

2 18-04-2026 The present writ petition has been filed seeking the
following reliefs:-

*“1. Writ of Certiorari for quashing/setting aside
the Letter No. PH/BWSM/LOS-MUZ/433/2026 dated-
26.02.2026 as contained in Memo No. PH/BWSM/LOS-
MUZ/433/2026-204 dated 17.03.2026 issued by the office
of the Secretary, Public Health Engineering Department,
Bihar State Water and Sanitation Mission (State Project
Management Unit) by which the order passed by the*



Hon'ble Court vide its order dated-29.01.2026 passed in CWJC No.1171/2026 in favour of the petitioner was disposed of in a higher technical and wrong manner against the petitioner without appreciating the factual and legal aspects of the matter.

II. and/or be pleased to quash/set aside the office order no.200 dated-23.12.2025 as contained in memo no.3063 dated-23.12.2025 issued by the office of the Executive Engineer, Public Health Division, Muzaffarpur by which the petitioner has been debarred from taking part in any next tender/bid offered by the respondents due to not making payment of electricity bill, due till date, in a wrong, arbitrary and whimsical manner as the authority has not made payment of the admitted dues of the cost of O & M, S D and EMD even after expiry of the period of the agreement so that the petitioner would make payment of electricity bill.

III. And/or be pleased to issue a writ in the nature of writ of mandamus or an appropriate writ/writs, order/orders or direction/directions commanding the respondents to make payment of the admitted dues of the work done by the petitioner as well as the cost of O&M, F.D. and E.M.D with related to the agreement no. RWSS/DPMU/MUZ/BIH/Batch-I/W-36 Dated-13.09.2019 of Lohari S.V.S Project as the time of O&M is also ended till 09-12-2025,

IV. And/Or be pleased to direct the authorities to make payment of the amount of Security Deposit (SD) deducted from MB and Earnest money Deposits (EMD) which is required to be paid to the petitioner forthwith because the time of O & M is ended and the department is holding the same in an unauthorized manner.”

2. At the outset, the learned counsel for the petitioner submits that the respondents be directed to make payment of the admitted dues and in case the admitted dues are paid to the



petitioner, he would clear the electricity bills immediately and then the Secretary Public Health Engineering Department, Bihar State Water Sanitation Mission (State Project Management Unit) Government of Bihar, Patna may consider revoking the debarment of the petitioner in terms of last paragraph of the impugned order dated 17.03.2026.

3. In view of the aforesaid, while disposing of the present writ petition, we deem it fit and proper to direct the respondent no.2 to examine the case of the petitioner regarding the outstanding dues and in case any admitted amount is due for payment to the petitioner, the same shall be paid to the petitioner within a period of six weeks of receipt/production of a copy of this order.

4. The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

(Arun Kumar Jha, J)

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