

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10364 of 2026

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Nisha Kumari W/o Vikash Kumar, R/o Chandiashtan, P.O. - Basudeopur, P.S.
- Kotwali, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Urban Development and Housing Department, Govt. of Bihar.
2. The District Magistrate, Munger.
3. The Chairman, Municipal Corporation, Munger.
4. The Municipal Commissioner, Municipal Corporation, Munger.
5. The Deputy Municipal Commissioner, Municipal corporation, Munger.
6. The City Manager, Municipal Corporation, Munger.
7. The Executive Engineer, Urban Development Division, Munger Municipal Area, Munger.
8. The Assistant Engineer, Urban Development Division, Munger Municipal Area, Munger.
9. The Junior Engineer, Urban Development Division, Munger Municipal Area, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anjan Singh, Advocate
For the Respondent/s	:	Mr. Additional Advocate General (4)
For Municipal Corp.	:	Mr. K.N. Sahay, Advocate
		Ms. Meeta Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
ORAL ORDER

2 27-07-2026 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing for the State as well as learned counsel appearing on behalf of Municipal Corporation, Munger.

2. With the consent of both the parties, this writ application is being disposed of at the admission stage itself.

3. In the present writ application, the petitioner has



prayed for grant of following relief/s;

“1. for issuance of writ or, writs/order or, orders/direction or, directions in the nature of writ of mandamus, commanding the respondents, specially respondent no. 4 to make payment to the petitioner her rightful and legal over dues relating to final bills of contract of works executed by the petitioner under the Jurisdiction of Municipal Commissioner, Municipal Corporation, Munger as the petitioner has finally executed the work to the full satisfaction of the respondents long back petitioner has further prays payment of Bank Draft of Rs. 3,96,000/- kept as security money at the time of agreement. Petitioner has also pray for payment of amount deducted from final bill. Petitioner also prays for payment of interest at reasonable rate on the due amount to be paid to the petitioner till the date of payment.”

4. The matter relates to public work contract dispute as the petitioner has claimed payment of her legal over dues relating to final bills of contract of work and Rs. 3, 96,000/- kept as security money at the time of agreement along with statutory interest towards the work executed by the petitioner under Agreement No.- 13/2024-25 executed on 21.02.2025, which is Annexure-P/2 to this writ application.

5. Learned counsel for the petitioner submits that despite several efforts made by the petitioner for release of aforesaid payment of the work done by the petitioner in terms



of the Agreement No. - 13/2024-25, the respondents could not paid heed towards the claim of the petitioner. Being left with no option, the petitioner has filed this writ application for redressal of his grievance before this Court by way of the present writ application in view of the fact that at the time of filing this writ application, the Bihar Public Works Contract Disputes Arbitration Tribunal, Patna (For short 'Tribunal') was not functional.

6. On the other hand, learned counsel for the respondent-State submits that now Tribunal, as aforesaid, is functional and, therefore, the petitioner may be directed to pursue his remedy before the Tribunal itself as it being an efficacious and alternative remedy for the petitioner, which the petitioner admits that it has not been availed.

7. In view of the submission and taking note of the fact that the petitioner has approached this Court directly without availing the alternate and efficacious remedy for her claim and also the fact that the Tribunal is now properly functional, this Court deems it appropriate to dispose of this writ application with a direction to petitioner to pursue her claim as raised in this writ application before the Tribunal, if so advised.



8. Accordingly, with the aforesaid observation, this writ application is disposed of.

9. All pending interlocutory application(s), if any, stands disposed of.

(Girijish Kumar, J)

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