

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.806 of 2025

=====

Ravindra Kumar S/o Mahendra Yadav, Resident of Village- Bariyahi, P.S.-
Semariya Ghat, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Rural Works Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Rural Works Department, Govt. of Bihar, Patna.
3. The Engineer-in-Chief, Rural Works Department, Govt. of Bihar, Patna.
4. The Chief Engineer- 3, Rural Works Department, Bhagalpur.
5. The Nodal Officer, MMGSY Rural Works Department, Govt. of Bihar, Patna.
6. The Superintending Engineer, Rural Works Department, Circle Begusarai.
7. The Executive Engineer, Rural Works Department, Work Division, Begusarai.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Adv.
For the Respondent/s : Mr. Standing Counsel (9)

=====

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

9 16-02-2026 Heard the learned counsel for the parties.

2. This writ petition has been filed for the following
relief(s):-

“(1) For issuance of an appropriate writ in the nature of MANDAMUS, commanding and directing the respondents to make payment Rs. 1,32,033/- rest amount of work done by the petitioner, as admitted by the respondent in view of measurement etc. and respondent no.7 has requested for release of fund Rs 24,15,606/- and same was provided even then aforesaid amount has not paid and further a direction to pay



maintenance amount for financial year 2021-22, 2022-23 and 2023-24 of Road under MMGSY (SC) namely Link Road to Dih Tola bearing tender ID No. 85463 under Begusarai district.

(II) For payment of aforesaid dues with interest as due to evasive attitude of the respondent the petitioner is suffering.”

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner pursuant to the agreement dated 04.05.2020 has completed the work assigned to him i.e. Link Road to Dih Tola. Learned counsel submits that the total value of the contract was approximately Rs. 24,15,606/- and the petitioner was also entrusted with the work of maintaining the said road for a period of 2021-22, 2022-23 and 2023-24 however the authorities have released an amount of Rs. 22,83,573/- but the balance amount of Rs. 1,32,033/- and the maintenance amount of Rs. 2,21,778/- is yet to be released. Learned counsel submits that the petitioner has submitted all the necessary documents in support of his case but the authorities have not paid the same.

4. In the counter affidavit filed by the respondents, a specific stand has been taken that the petitioner was entrusted with the work of laying Link Road for a distance of only 0.350 Kms. but the petitioner has executed 40 meters extra length



without any approval. Further, it is stated that the petitioner has executed 234.00 M³ of Item No. 8 of BOQ i.e. Cement Concrete Pavement whereas the sanction was only for 214.20 M³ as per the approved BOQ. That the additional work executed by the petitioner i.e. 19.80 M³ does not have any approval from the competent authority. Further, it is specifically averred that the petitioner has not done any work in respect of item no. 9 of the BOQ i.e. the Hard Shouldering amount to Rs. 1,28,094/-. Further, it is stated that on inspection of the work done by the petitioner it was found that the maintenance of the work was not being done properly and the same in a dilapidated condition. That in spite of making several requests to the petitioner to remove the defects pointed out by the inspection team, the petitioner till date has not done the same. Learned counsel submits that the payment of the amounts for the work already done which was approved has already been paid to the petitioner and the present writ petition is liable to be dismissed on the ground that the petitioner is having an alternative and effective remedy of approaching the Bihar Public Works Contract Disputes Arbitration Tribunal under Section 9 of the Act. Learned counsel, therefore, prays this Hon'ble Court to dismiss the present writ petition.



5. Admittedly as per the pleadings there are number of disputed questions of fact which cannot be gone into in the present writ petition, therefore, this Court is not inclined to entertain the same. Further, it is to be noted that the petitioner is having an alternative and effective remedy of approaching the Bihar Public Works Contract Disputes Arbitration Tribunal under Section 9 of the Act.

6. Having regard to the same, the present writ petition is disposed of granting liberty to the petitioner to approach the the Bihar Public Works Contract Disputes Arbitration Tribunal within a period of four weeks from today. If any application is made by the petitioner before the arbitration tribunal, the same shall be considered on its own merits in accordance with law.

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

(A. Abhishek Reddy , J)

Gauravkr/-

U			
---	--	--	--

