

(2019) 12 PAT CK 0053

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 5776 Of 2019

M/S Choudhary Project Private Limited

APPELLANT

Vs

State Of Bihar And Ors Through The Chief Secretary And Ors

RESPONDENT

Date of Decision : 02-12-2019

Acts Referred:

Citation : (2019) 12 PAT CK 0053

Hon'ble Judges : Ashutosh Kumar, J

Bench : Single Bench

Advocate : Prem Kumar, Kumar Alok

Final Decision : Disposed Of

Judgement

The petitioner has approached this Court for a direction to the respondents to make available to him the dues amount which has accrued because of the firm of the petitioner having completed the contract work allotted to him.

From the records, it appears that the petitioner being the successful bidder was allotted the work of construction and five year maintenance of a road under the PMGSY (PWD) Programme. Though the work of construction was slightly delayed but it was completed and annual maintenance also was provided by the petitioner.

However, on account of a complaint by District Secretary of CPI (ML), Darbhanga about some irregularities having been committed in the construction and maintenance of the road, an enquiry was initiated which is still pending. This appears to be the reason for non-payment of dues of the petitioner.

The counter affidavit clearly indicates that no sooner the report of the enquiry would be submitted, the petitioner shall be paid the dues amount.

In view of the stand taken by the petitioner, this writ petition is disposed of with a direction to conclude the enquiry as early as possible, preferably within a period of three months of the receipt/production of a copy of this order before the concerned respondent.

If it is found that the allegations are baseless and that the petitioner cannot be faulted on any score, necessary sequel order of releasing the funds for making payment of the dues of the petitioner shall also be passed forthwith.

With the aforesaid direction/observation, the writ petition stands disposed of.