

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.83 of 2009

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Amarendra Kumar Sinha, son of Dev Nandan Prasad, resident of Janakpur,
Buniyadganj, P.S. Muffasil, District Gaya

.... Petitioner

Versus

1. The State of Bihar through the Secretary Department of Health, Govt. of Bihar, Patna
2. The District Magistrate cum Chairman, District Health Society, Gaya
3. The Civil Surgeon cum Member Secretary, National Tuberculosis Control Committee R.N.T.C.) cum District Tuberculosis Officer, Gaya
4. The District Tuberculosis Officer, Gaya

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Om Prakash Upadhyay
Mr. Mithilesh Kumar Upadhyay

For the Respondent/s : Mr. (Gp12)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

8 13-01-2015 Heard learned counsel for the parties.

Having regard to the fact that the claim of the petitioner for payment of vehicle hire charges is not being admitted by the respondents by taking a specific plea that no work order was issued to the petitioner and that the respondents have brought on record a show cause notice given to the petitioner denying the said amount, the remedy for the petitioner cannot be under Article 226 of the Constitution of India as the claim of the petitioner is not admitted.

When such an observation has been made learned counsel for the petitioner seeks permission to withdraw this application in order to enable the petitioner to take any other recourse as may be

permissible in law.

This application is, accordingly, permitted to be withdrawn with the aforementioned liberty.

surendra/-

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(Mihir Kumar Jha, J)