

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1118 of 2015

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Sweet Dream Cable Network through its proprietor namely Murli Manohar, aged about 42 years son of Achchelal Singh, resident of Gannipur Mishra Tola Saraswati Sadan, P.S. Kazimohammadpur, District Muzaffarpur

.... Petitioner/s

Versus

1. The Union of India
2. Inspector General of Police (Bihar Sector) C.R.P.F. Ashiana Digha Road, P.O. Ashiana Nagar, Patna (Bihar)
3. Additional Deputy Inspector General of Police, Group Centre, C.R.P.F. Muzaffarpur (Bihar)
4. Deputy Inspector General of Police, Group Centre, C.R.P.F. Jhapaha, Muzaffarpur (Bihar)
5. Commandant Group Centre, C.R.P.F. Jhapaha, Muzaffarpur (Bihar)
6. M/s Multi Vision through its Proprietor namely Vikash Kumar, son of Jitendra Kumar Jha, resident of Purani Gudari Road, Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Respondent/s : Mrs. Kanak Verma, CGC

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 23-01-2015 Heard learned counsel for the parties as with regard to the following relief prayed in this writ application:-

"(i) For quashing the communication contained in letter no. M.5.1(Cable)/14-5-Group Centre Bhawan, dated 24.12.2014 issued under the signature of respondent no. 5 whereby and whereunder the permission for cable operation earlier granted in favour of the petitioner has been cancelled and the petitioner has been directed to remove the cable operating instrument from the premises of the camp by 31.1.2015.

(ii) For commanding the respondents to allow the petitioner to operate cable network in the light of permission granted under letter dated 22.5.2008.

(iii) To restrain the respondents not to grant permission for cable operation in favour of respondent no. 6 during pendency of the writ petition.

(iv) The respondent authorities may be restrained from taking any coercive action against the petitioner during pendency of the writ petition."

2. While this Court is not inclined to interfere with the impugned order as it does not find any violation of the terms and conditions of the agreement including Clause No.12 on which reliance was placed by the learned counsel for the petitioner, it would definitely allow the oral prayer of learned counsel for the petitioner to withdraw this writ application with a liberty to the petitioner to satisfy the authorities that his services in past from May, 2008 to December, 2014 were unblemished and therefore it did not deserve an order for cancellation of the work in question relating to the service of cable connection.

3. In this regard it has to be however made clear that Clause 12 of the agreement had envisaged giving one month notice prior to termination of the work relating to providing cable services by the petitioner and therefore, when the order was passed on 24th December, 2014 for stopping the work of the petitioner w.e.f. 31.1.2015 the petitioner definitely got notice of more than one month.

4. Nonetheless if the petitioner still feels that he can satisfy the authorities for continuing with the cable operation work, nothing said in this order or withdrawal of this application will weigh against him in reconsideration of his case in accordance with law.

5. With the aforementioned observation and liberty this application is permitted to be withdrawn.

surendra/-

(Mihir Kumar Jha, J)

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