

THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.355 of 2015

M/s Nandita Construction through its proprietor Raju Kumar Singh son of Harender Singh resident of village Ratanua, P.O Bijauli, P.S Aurangabad District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Planning Office, Aurangabad.
3. The Superintending Engineer, Minor Irrigation Division, Aurangabad.
4. The Executive Engineer, Minor Irrigation Division, Aurangabad.
5. The District Magistrate –cum- Collector, Aurangabad.
6. The Deputy Development Commissioner, Aurangabad.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Anil Kr Singh No. 6

For the Respondent/s : Mr. Sc27- Kinkar Kumar

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 13-07-2015 Heard learned counsel for the petitioner and the State.

Admittedly, the petitioner executed the work as specified in the agreement reached by and between them. The grievance of the petitioner is that under the instruction of the District Urban Development Authority, Aurangabad and the district administration he executed work in excess. In order to buttress the said contention, he has drawn attention of the Court to Annexure-1 which is a communication issued by the Executive Engineer, District Urban Development Authority, Aurangabad and addressed to the District Planning Officer.

In the counter affidavit it has been stated that the work which was assigned to the petitioner under the agreement on

measurement was found to have been executed as per the specification and payment has been made.

The grievance of the petitioner is for payment of additional amount for additional work he executed beyond the agreement under the instruction of the respondents.

After making some submissions counsel for the petitioner seeks permission to withdraw this application in order to ventilate his grievance before the District Magistrate. If any such grievance is raised, I am sure the respondent concerned shall examine the claim of the petitioner and take appropriate decision in accordance with law as quickly as possible.

The application is dismissed as withdrawn with the said liberty.

(Kishore Kumar Mandal, J)

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