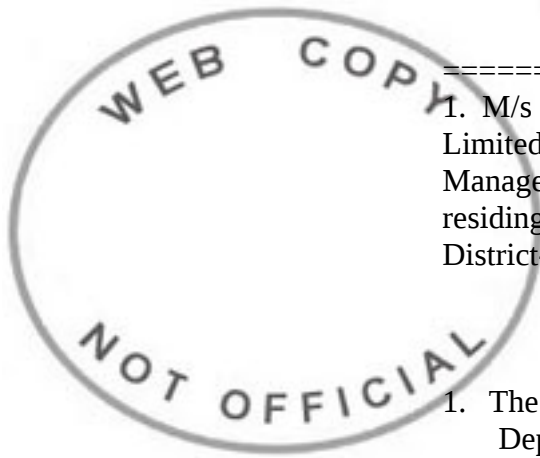


IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1760 of 2015

In

Civil Writ Jurisdiction Case No. 3711 of 2014



1. M/s Ncc Ltd. (formerly known as Nagarjuna Construction Company Limited), NCC House. Madhapur. Hyderabad-81 through its Senior Manager, Mr Shiv Shakti Dhari Sinha son of Late Sri Prawin Dhari Sinha, residing at 401, Nilgiri Apartment, Boring Canal Road, P.S. Srikrishnapuri, District-Patna.

.... Appellant

Versus

1. The State of Bihar through Principal Secretary, Water Resource Department.
2. The Principal Secretary, Water Resource Department, Government of Bihar.
3. Engineer-in-Chief (Central), Water Resource Department, Government of Bihar, Patna.
4. Chief Engineer, Water Resource Department, Valmiki Nagar, West Champaran, Bihar.
5. Chief Engineer, Water Resource Department, Muzaffarpur.
6. Engineer in Charge, Water Resource Division, Chekie, Motihari, East Champaran.

.... Respondents

Appearance :

For the Appellant/s : Mr. Y.V. Giri, Senior Advocate
and
Mr. Ashish Giri

For the Respondent/s : Mr. Smt. Binita Singh, GP 31

**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 12-10-2015 Heard Mr. Y.V.Giri, learned Senior counsel for the appellant, and Mrs. Binita Singh, learned GP 31, appearing for the respondents.

I.A.No. 7915 of 2015 has been filed by the appellant, under Section 5 of the Limitation Act, seeking condonation of

delay of 36 days in preferring the present letters patent appeal against the order, dated 26.06.2015 passed in C.W.J.C.No. 3711 of 2014.

Having considered the reasons assigned in the present petition seeking condonation of delay, in preferring appeal, and having heard the learned counsel for the parties, this Court is satisfied that the appellant was prevented by sufficient causes from preferring the appeal within time.

In view of the above, the delay of 36 days, in preferring the letters patent appeal, is hereby condoned.

I.A.No. 7915 of 2015 shall stand disposed of.

Re: L.P.A.No. 7915 of 2015

During course of argument, Mr. Y.V.Giri, learned Senior counsel for the appellant, seeks permission to withdraw this appeal.

No objection has been raised to the prayer for withdrawal made by the appellant.

In view of the above and in the interest of justice, this appeal is hereby disposed of as withdrawn.

As regards the order, dated 22.09.2015, passed by respondent, which has been annexed as Annexure-1 to I.A. No. 8398 of 2015, filed in this appeal (L.P.A. No. 1760 of 2015), it is

made clear that it would remain open to the appellant to take to take recourse to appropriate provisions of law if he has any grievance in the order, dated 22.09.2015, passed by respondent.

(I.A. Ansari, ACJ)

(Chakradhari Sharan Singh, J)

A.I./-

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