

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1648 of 2015**

Shambhu Jaiswal S/o Shri Sanktha Jaiswal, Aged About 40 Years R/o Village Karsi, P.S. Pratappur, District Surguja Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Public Welfare Department, Office Of Matri, Panchayat and Rural Development, Public Health and Family Welfare, Health Education and Social Works, Mahanadi Bhawan, New Mantralay, District Raipur Chhattisgarh
2. The Managing Director, Chhattisgarh Medical Services Corporation Limited, 3rd Floor, Govind Sarang Business Parisar, New Rajendra Nagar, District Raipur Chhattisgarh
3. The Superintending Engineer, Chhattisgarh Medical Services Corporation Limited, 3rd Floor, Govind Sarang Business Parisar, New Rajendra Nagar, District Raipur Chhattisgarh
4. The Executive Engineer, Chhattisgarh Medical Services Corporation Limited, House No. 407, Ward No. 13, Near Nawapara Gramin Bank, Ambikapur, District Surguja Chhattisgarh

---- Respondents

For Petitioner	:	Shri Apoorva Tripathi, Advocate.
For Respondent/State	:	Shri Prafull N Bharat, Additional Advocate General.
For Respondent No. 2 to 4	:	Shri C.J.K. Rao, Advocate.

Hon'ble Shri Navin Sinha, Chief Justice**Hon'ble Shri P. Sam Koshy, J.****Order on Board****Per Navin Sinha, Chief Justice****01/12/2015**

1. After some arguments, realizing the difficulty with regard to constraints of writ jurisdiction under Article 226 of the Constitution in contractual matters involving disputed question of facts, Learned Counsel for the Petitioner submits that he may be permitted to withdraw the writ petition for pursuing the

matter before the authorities in a representation, as he is still willing to execute the works on such terms and conditions that the authorities may consider fit and proper in accordance with law.

2. Learned Counsel for the Respondents points out that the contract has already been terminated.

3. If the Petitioner wishes to withdraw the writ petition to pursue matters in a representation, we see no difficulty in allowing him to do so. This cannot be construed as any opinion and/or observation by us on merits of the matter in any manner with regard to either of the parties. If the Petitioner files a representation it is for the Respondents to deal with the same accordingly in their wisdom.

4. In view of withdrawal of the writ petition, the interim order dated 15.9.2015 stands vacated.

5. The writ petition is dismissed as withdrawn.

Sd/-

(Navin Sinha)
CHIEF JUSTICE

Sd/-

(P. Sam Koshy)
JUDGE