

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4463 of 2014

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1. Surendra Kumar, son of late (Er.) Basudeo Ram, resident of Masjid Lane, Bari Khanjarpur, P.S.- Barari, District- Bhagalpur

.... Petitioner/s

Versus

1. The State Of Bihar, Through The Chief Secretary, Government Of Bihar At Patna
2. The Secretary, Building Construction Department, Government Of Bihar At Patna, Patna
3. The Chief Engineer (South Bihar), Building Construction Department, Bihar At Patna, Patna
4. The Superintending Engineer, Building Construction Department, Building Division, Bhagalpur
5. The Executive Engineer, Building Construction Department, Bhagalpur
6. The Junior Engineer, Section- 1, Medical Sub-Division, Bhagalpur
7. The Superintendent, Jawahar Lal Nehru Medical College Hospital, Bhagalpur
8. The In-Charge, Intensive Care Unit, Jawahar Lal Nehru Medical College Hospital, Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate

For the Respondent/s : Mr. Raj Nandan Prasad, SC-9

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 18-01-2016

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The present writ petition has been filed for payment of dues of Rs. 2,46,189/- claimed by the petitioner for the work done pursuant to agreement dated 26.11.2008 entered into between the parties.

3. At the outset, learned counsel for the petitioner fairly states that the substantial part amounting to Rs. 2,07,288/- has been paid by cheque dated 28.08.2014

during the pendency of the writ petition, though however the remaining amount still remains outstanding. It is also submitted that the petitioner is entitled to interest and penal interest for delay in making the payment.

4. After some arguments, learned counsel for the petitioner seeks permission to withdraw the writ petition with liberty to avail the statutory remedy for redressal of his grievances with regard to the remaining dues along with interest and penal interest.

5. Permission is accorded. The petition accordingly stands dismissed as withdrawn with the aforesaid liberty.

(Vikash Jain, J)

Md. Ibrarul/-

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