

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.153 of 2013

In
Civil Writ Jurisdiction Case No.10306 of 2012

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M/S Baibhaw Construction Private Limited Through Its Director Abhay Kumar Having Registered Office At Mohalla Sareya Ward No. 13 P.S., Distt. Gopalganj

... .. Appellant/s

Versus

1. The State Of Bihar Through The Secretary, Water Resources Department, Government Of Bihar Patna
2. The Engineer In-Chief (North), Water Resources Department, Sinchai Bhawan, Patna
3. The Chief Engineer, Water Resources Department, At & P.O. Siwan, Distt. Siwan
4. M/S Supreme Brahmaputra (Jv) Supreme House Plot No. 94c, Pratapgarh, Opposite Iit Main Gate Pawai Mumbai 400076

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Nand Kishore Singh, Advocate
		Mr. Jitendra Kumar, Advocate
For the State	:	Mr. Subodh Kumar, AC to SC-26
For the Respon.No. 4	:	Mr. Ashish Giri, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

15 11-01-2018 Learned counsel for the appellant makes a fair submission that with the passage of time and subsequent developments that have taken place, he may be permitted to withdraw the appeal and liberty be granted to him to file a regular suit claiming damages from the respondents for the illegalities, if any, committed. He is granted liberty to do so.

The appeal stands disposed of with the liberty aforesaid.

All legal issues including right of the appellant to claim



damages, in spite of the order of the Writ Court, is kept open to
be considered by the Trial Court in accordance with law.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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