

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1883 of 2018**

- Subhash Jha W/o Late Ramlakhan Kesri, Aged About 32 Years Purani Sharab Bhatti Road, Danteswari Ward Azad Chowk Jagdalpur Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

----Petitioner**VERSUS**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development Mahanadi Mantralaya, Naya Raipur, Post Office And Police Station Naya Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Engineer In Chief Chhattisgarh Rural Road Development Authority Civil Line Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Chief Executive Officer, Chhattisgarh Rural Road Development Authority Civil Line Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Collector, District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh
5. Superintending Engineer, Chhattisgarh Rural Road Development Authority Project Division - 02, Jagdalpur District Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
6. Executive Engineer Cum Member Secretary , District Project Execution Unit, Chhattisgarh Rural Road Development Authority District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh

-----Respondents

For Petitioner	:	Mr. R.K. Jha, Advocate
For Respondents/State	:	Mr. Vikram Sharma, Panel Lawyer.

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice**Hon'ble Shri Parth Prateem Sahu, Judge****Order on Board****Per P.R. Ramachandra Menon, C.J.****23/07/2019**

1. The prayers are in following terms:

“10.i That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to call the entire records pertaining to this case.

10.ii That, the Hon'ble Court may kindly be pleased to issue writ in the nature of certiorari, prohibition and

mandamus, thereby declaring the impugned order dated 19-7-2019 (Annexure P/1) in respect of package No. CGT 01-149(2) for construction of Kondagaon Umarkot Road RD 18 km to Singhanpur to Schoolpara Badedongar Silati, as illegal and arbitrary and further the same may kindly be quashed.

10.iii That, this Hon'ble Court may further kindly be pleased to direct the respondent authorities to decide the pending representation dated 19-09-2017 assigning valid reason, in accordance with law.

10.iv That, this Hon'ble Court may kindly be pleased to quash the fresh tender process initiated by the respondent authorities vide Tender No. 35481 (NIT No. 120) dated 9/5/2018 read with Amendment No. 01 dated 16/5/2018 (Annexure- P/2) for the same work i.e. Kondagaon Umarkot Road RD 18 km to Singhanpur to Schoolpara Badedongar Silati (Length 3.10 km).

10.v Cost of the petition may also be granted to the petitioner.

10.vi Any other relief, which this Hon'ble Court deems fit and proper, may also kindly be granted to the petitioner, in the interest of justice.

2. When the matter is taken up for consideration, the learned counsel for the petitioner submits that under similar circumstances, the writ petition was dismissed as not pressed with liberty to avail other remedy before the appropriate forum.
3. In the said circumstances, the learned counsel for the petitioner seeks for permission to withdraw the matter without prejudice to rights and liberty to avail other remedy before the appropriate forum.
4. Permission granted.
5. Writ petition is dismissed as withdrawn.

Sd/-
(P.R. Ramachandra Menon)
 Chief Justice

Sd/-
(Parth Prateem Sahu)
 Judge