

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5851 of 2020**

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Bishwambhar Purbey, Son of Late Gangai Purbey, Resident of Mohalla Ward  
No. 16, Bhelwa Tola, near Block Jay Nagar, P.S. Jay Nagar, District  
Madhubani, Proprietor of M/S Rambilas Purbey Jay Nagar, Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Rural Work Department,  
Government of Bihar, Patna.
2. The Engineer-in- Chief, Rural Work Department, Government of Bihar,  
Patna.
3. The Chief Engineer, Rural Work Department, Government of Bihar, Patna.
4. The Superintending Engineer, Rural Works Department, Work Circle,  
Darbhanga.
5. The Executive Engineer, Rural Work Department (w) Division Jhanjharpur,  
Madhubani.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Dudh Nath Singh, Advocate  
For the Respondent/s : Mrs. Archana Meenakshee, G.P.-6

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE P. B. BAJANTHRI**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 02-11-2021**

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-



- i) For issuance of direction/directions or order/orders or writ/writs particularly in the nature of certiorari for quashing the office order/decision dated 14.10.2019 taken by the Departmental Tender Committee in the light of Rule 159(vii) of Bihar Public Construction Code-I, upon received recommended application for extension of time of the petitioner by which proposal for time extension has been rejected.
- ii) For issuance of direction or order or writ particularly in the nature of mandamus for commanding and directing the respondents to refund the security which was deducted from running bill of work done at the rate of 10% of the running Bill amounting Rs. 36,44,360/- during the period of pending application for time extension from 20.08.2010 to 25.05.2014 with compound interest at the rate of 18% as well as cost of five years maintenance of constructed road i.e. Tardhia to Daushan Ammarupi, total amounting of Rs. 28,21,726 with aforesaid rate of interest.
- iii) For any other relief/ reliefs to which the petitioner is found legally entitled under the facts and circumstances of this case.

Learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to exhaust the remedies in accordance with law.

Permission granted.

The present petition stands disposed of as withdrawn



with the liberty aforesaid.

Interlocutory Application(s), if any, stands disposed  
of.

**(Sanjay Karol, CJ)**

**(P. B. Bajanthri, J)**

P.K.P./Amrendra

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