

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9719 of 2020

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Angesh Kumar (Male), aged about 54 years, Son of Late Shesheshwar Prasad Singh Resident of Village- Aunta, P.O.- Aunta, Police Station- Hathidah, District- Patna one of the partners of M/S Rama Construction, At + P.O.- Aunta, P.S.- Hathidah, District- Patna- 803303.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Bihar, Patna.
2. The Engineer-in- Chief Public Health Engineering Department, Bihar, Patna.
3. Superintending Engineer Public Health Engineering Circle, Begusarai.
4. Executive Engineer Public Health Division, Begusarai.
5. Assistant Engineer Public Health Sub Division, Manjhaul, Begusarai.
6. Junior Engineer Public Health Sub Division, Manjhaul, Begusarai.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Manish Kumar No. 2, Advocate

For the Respondents : Mr. S. Raza Ahmad, AAG-5 with

Mr. Vishwambhar Prasad AC to AAG-5

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

2 15-11-2021 Heard Mr. Manish Kumar No.2, learned counsel for the petitioner and Mr. S. Raza Ahmad, learned counsel representing the State respondents.



The petitioner is seeking following relief in the present application filed under Article 226 of the Constitution of India :-

“1. That the present writ application is being filed for issuance of appropriate writ/writs, order/orders, direction or direction to the respondent authorities to pay the admitted dues amount to the petitioner pursuant to the agreement No.-F2/2015-16 executed between the petitioner and Executive Engineer, P.H. Division, Begusarai dated 27.06.2015 for construction of 16 Nos. of 125 MM. Dia X 58 meters with 1 AM-II and 20 Nos. of 40 mm. X 46 meters Singur T/Well with platform and drainage in rural area of Begusarai district under the Mukhyamantri Chapakal Yojna (MMCY) and/or any other relief of reliefs to which the petitioner may be found entitled to in course of hearing of this writ application.”

Learned counsel appearing on behalf of the petitioner, after some argument, seeks permission to withdraw this application with a liberty to approach the Bihar Public Works Contracts Disputes Arbitration Tribunal for redressal of the aforesaid grievance.

As prayed, this application stands disposed of as withdrawn with the liberty as sought for.



It is made clear that the petitioner shall be at liberty to
justify before the Tribunal delay on the petitioner's part in
raising his grievance.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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