

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1662 of 2022

1. Subash Chandra Das, Son of Sarba Mohan Das, Resident of Ward No. 21, Singharitola, Rampur, P.S. Kishanganj, District- Kishanganj, Bihar.
2. Rehana Khatoon W/o Abdul Barik, Proprietor of Tauhid Enterprises Halim Chowk, P.S. Kishanganj, District Kishanganj, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Kishanganj.
2. Principal Secretary, Building Construction Department, Government of Bihar, Vishwaiswaraiya Bhawan, Jawaharlal Nehru Road, Patna.
3. The Superintending Engineer, Building Circle, Purnea.
4. The Executive Engineer, Building Division, Purnea.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Yashraj Bardhan, Advocate
For the Respondent/s	:	Mr. Manoj Kr. Ambastha, SC 26
		Mr. Subodh Kumar, AC to SC 26

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 21-03-2022

Petitioners have prayed for the following

relief(s):-

1. That the petitioners beseech indulgence of the Hon'ble Court with a prayer for issuing writ or writs in the nature of mandamus commanding the respondents to make payment of admitted dues, with interest, to the tune of Rs. 14, 99, 750/- for repair of the Superintendent of Police, Kishanganj Residence as ordered through Work Order No. 101, dt. 01.02.2018 payable towards petitioner no. 01 and further for payment of admitted dues to the tune of Rs. 14, 75, 166/- in pursuance of Work Order No. 100, dt. 01.02.2018 for repair work of the approach road to the residence of Superintendent of Police, Kishanganj payable towards petitioner no. 02 which the Respondent Authorities have been ignoring for past three years in spite of work having been satisfactorily completed, inspection done and measurement book recorded, which is quite arbitrary, callous and violative of petitioners' fundamental rights as guaranteed under Articles 14 and 21 of the Constitution of India.



After the matter was heard for some time, finding the Court not in favour of the submissions made by the learned counsel for the petitioners, learned counsel for the petitioners, under instructions, states that petitioners shall be content if the petitioners are permitted to withdraw the present petition reserving liberty to initiate appropriate proceedings before the appropriate forum and to take recourse to such other alternate remedies, which are equally efficacious in law.

Prayer allowed.

The petition is disposed of as withdrawn with the liberty aforesaid.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	22.03.2022
Transmission Date	

