

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2738 of 2022

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1. Resham Rani wife of Sunil Kumar resident of Mohalla- Pirmansoor Road, Ramna Road, P.S. Civil Line, District- Gaya.
 2. Sunil Kumar son of Awdhesh Kumar resident of Mohalla- Pirmansoor Road, Ramna Road, P.S. Civil Line, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Minor Irrigation Department Government of Bihar, Patna.
2. The Superintending Engineer, Minor Irrigation Department, Bhagalpur.
3. The Chief Engineer, Minor Water Resources Department, Bhagalpur.
4. The Chief Engineer, Minor Irrigation, Department, Bhagalpur.
5. The Executive Engineer, Minor Irrigation Department, Banka.
6. The Assistant Engineer, Minor Irrigation, Department, Katoriya, Banka.
7. The Junior Engineer, Minor Irrigation Department, Katoriya, Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh
For the Respondent/s : Mr. Kapileshwar Pd. Yadav (GP-11)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 30-03-2022

Heard learned counsel for the parties.

Petitioners have prayed for the following
relief(s):-

“For issuance of writ/writs, order/orders
and direction/directions in the nature of man-



damus by commanding/directing the Respondent authority to make payment of bill of Rs. 11,89,957.75/- and after final measurement of the work final bill along with his deposited earnest amount Rs. 3,49,000(5% of agreement cost) Rs. 66,14,879.00 with interest@ 12% per annum of renovation of Kaitaka Ahar/Pyne, and Block Barahat, which has already been completed on July 2019 under stipulated period of time, after contract work approved by the Respondnet No. 5, from the date of issuing the tender work finalization certificate till its realization, with litigation cost and 12% GST amount which has been taken by the department.”

After the matter was heard for some time, finding the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioners, under instructions,



states that the 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/or take recourse to such other alternative remedies, equally efficacious in law.

Permission granted.

We are sure that as and when any such proceedings are initiated, the same shall be considered and decided in accordance with law.

Needless to add, the authorities/adjudicative body shall pass a reasoned order in accordance with law.

It is made clear that we have not expressed any opinion on merits. All issues are left open.

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

Interlocutory Application(s), if any, shall stand



disposed of.

(Sanjay Karol, CJ)

(Harish Kumar, J)

N.K/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

