

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3139 of 2022

M/s New Mithila Khadi Bhawan through its Manager Bishambhar Prasad,
aged about 64 Years, Gender-Male, Son of Late Laxmi Prasad, Sunil Bhawan,
Mohanpur Road, Punaichak, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secreary, Animal Husbandry
Department, Bihar, Patna.
2. The Director, Department of Animal Husbandry Department, Government of
Bihar, Patna.
3. The District Animal Husbandry Officer, Muzaffarpur, District-Muzaffarpur
(Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Bijendra Kumar Singh
For the Respondent/s	:	Mr.Rishi Raj Sinha (Sc19)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 27-04-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

1. That the petitioner abovenamed seeks refuse to this Hon'ble High Court and humbly prays for issuance of a writ of mandamus and/or any other writ or writs order or orders commanding the Respondent no. 03, the District Animal Husbandry Officer, Muzaffarpur for payment of the total amount of Rs. 12,55,464/- (One Lakh Fifty Five Thousand Four hundred Sixty four only) due fallen after completion of supply of 190 pieces of full dress of summer season and winter season of 55 fourth grade employee and driver, working under District Muzaffarpur, the supply order given by the District Animal Husbandry Officer, Muzaffarpur vide Letter No. 518 dated 05.07.2013 and even the bill of due amount has been already passed on 06.08.2013 even though not a single penny has been paid by the respondents and full payment of Rs. 1,55,464/- is lying due for eight and half years which may be ordered to be paid with interest accrued thereon the amount from its due date till the date of payment.

After the matter was heard for some time, finding the Court not in favour of the submissions made by the learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petitioner will be content if the petitioner is permitted to withdraw the present petition, with 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.

It stands clarified that all issues of fact and law are left open to be agitated before the competent authority.

The petition is disposed of as withdrawn with the liberty aforesaid.

Interlocutory application(s), if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/- Ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.05.2022
Transmission Date	NA