

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5071 of 2022

M/s Hitendra Kumar Mishra Son of Late Ram Bachan Mishra, resident of Village- Salaha, Police Station- Govindganj, District - East Champaran (Motihari).

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Building Construction, Department of Government of Bihar, Patna.
2. The Chief Engineer (North), Building Construction Department, Government of Bihar, Patna.
3. The Superintending Engineer, Building Construction Division, East Champaran, Motihari.
4. The Executive Engineer, Building Construction Division, East Champaran, Motihari.
5. The B.D.O., Chakiya, East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate
For the Respondent/s : Mr.Amit Prakash (GA13)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

2 13-05-2022 Petitioner has prayed for the following relief(s):

“For issuance of an appropriate writ and/or order and/or direction to the respondents for granting extension of time to the project as per agreement bearing agreement no. SBD No. 03/2017-18 for the Construction of Block Office cum Circle Officer cum Residence at Chakia, East Champaran, Motihari.



The petitioner also prays for a direction to respondents for payment of 10% cut amounting to Rs.65,61,497/- in the advance paid to the petitioner due to non-extension of time of the above said project.”

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 shall 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.

The petition is disposed of as withdrawn with the liberty aforesaid.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

K.C.Jha/DKS

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