

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6864 of 2020

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M/s Chandan Automobiles, Registered Office at K.G.S. Tower, Kankarbagh, Main Road, P.S. Kankarbagh, District-Patna-800020 (Bihar) through its Partner Pushpesh Saras, Gender-Male age 47 years (Male), Son of Kumar Gauri Shankar Sinha, Resident of Mohalla K.G.S. Residency, Kali Mandir Sanjay Gandhi Nagar Road No.5, Hanuman Nagar, Kankarbagh, P.S. Patrkarnagar, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Ministry of Urban Development, State of Bihar, Patna-800001.
2. The Patna Municipal Corporation, through its Commissioner, Maurya Lok Complex, Patna-1.
3. The Commissioner Patna Municipal Corporation Maurya Lok Complex, Patna-1.
4. The Commissioner Patna Municipal Corporation Maurya Lok Complex, Patna-1.
5. The City Manager, Patna Municipal Corporation Azimabad Circle, Meena Bazar, Patna.
6. The City Manager, Patna Municipal Corporation Patna, City Circle, Meena Bazar, Patna City.
7. The City Manager, Patna Municipal Corporation, Bankipur Circle, Vaishali Golambar, Patna.
8. The City Manager, Patna Municipal Corporation, Corporation, Nutan Rajdhani Circle, Patna.
9. The City Manager, Patna Municipal Corporation Patliputra Circle, Patna.
10. The City Manager, Patna Municipal Corporation Kankarbagh Circle, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sumit Kumar Jha, Advocate Mr. Vijay Shankar Tiwari, Advocate Mr. Bivutosh Kumar, Advocate
For the Respondent/s	:	Mr. Kinkar Kumar, SC-9 Mr. Prasoon Sinha, Advocate Mr. Yashraj Bardhan, Advocate

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

(Per: HONOURABLE THE CHIEF JUSTICE)



5 08-03-2022

Petitioner has prayed for the following relief(s):-

- i) For issuance of a writ in the nature of mandamus directing the respondent authorities particularly the respondent No. 1 and 2 to pay the dues amount of Rs. 52,12,500/- (Rupees Fifty Two Lakh Twelve Thousand Five Hundred Only) against the work order No. 13/CME/PMC/2019 for supply of 75 numbers of HERO SPLENDAR SELF START" Motorcycle.
- ii) For a declaration that the respondent Patna Municipal Corporation being state within the meaning of Article 12 of the Constitution of India, cannot act like a dishonest person.
- iii) For a declaration to the respondent authority and in particular to the respondent No. 2 to pay the amount of Rs. 52, 12,500/- along with interest, as the payment being in the nature of admitted dues, the respondents cannot be allowed to derive benefits, or any advantage of its own delay and latches, and for any other relief or relief to which the petitioner is found entitled.

Learned counsel for the petitioner seeks permission to withdraw the present petition for the reason that the payment stands released.

However, in so far as component of interest is concerned, liberty, as prayed for, is granted to initiate



appropriate proceedings in accordance with law.

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

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

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