

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6343 of 2022

Sudhir Kumar Jaiswal S/o Late Dharamchand Prasad Jaiswal, R/o C/o Ram Lochan Singh, Defence Colony, Takiapar, Opposite ICICI Bank (ATM), P.O.- Digha, District-Patna.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Defence, South Block Rajpath, E Block, Central Secretariat, New Delhi.
2. The Secretary, Ministry of Defence, South Block Rajpath, E Block, Central Secretariat, New Delhi.
3. The Director General Defence Estate, Raksha Sampada Bhawan, Ulan Batar Marg, Delhi Cantt., New Delhi 110010.
4. Principal Director, Central Command Ministry of Defence, Lucknow.
5. The Controller of Defence Accounts, CDA Building, Patna, Bihar.
6. The Defence Estate Officer, Danapur Cantt., Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sujeet Kumar Gupta, Advocate
For the Respondent/s	:	Dr. K.N. Singh (ASG)
		Mr. Anshuman Singh, Sr. S.C.

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 20-06-2022 Petitioner has prayed for the following relief(s):-

“I. For issuance appropriate Writ in nature of Mandamus directing the Respondents to pay then admitted due bills amounting Rs. 110141/- (Rs. One Lakh Ten Thousand and one Hundred Forty-one) to the Petitioner with penal interest for general orders supplies made to the office of Respondent No-6 in the year 2016-17.

II. For issuance of Writ in nature of



Certiorari quashing the letter dated 29.12.2021 issued under the signature of the Respondent No-6 as contained in Annexure-6, by which the signatory has rejected the claim of the Petitioner by saying that no claim is made out and hence the office is unable to make any payment against the bill as claimed in the year 2018.

III. For issuance of such other appropriate order or direction which may deem fit and proper in the facts and circumstances of the present case.”

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 period for which the petitioner has been pursuing the matter before this Court shall be excluded for the purposes of limitation.

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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