

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7269 of 2022

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M/S Asian Construction Vishwanath Nagar, Begusarai, Bihar 851101 through its partner Bipin Kumar Singh (male), aged about 53 years, son of late Ram Pratap Singh, resident of Ward No. 20, Cheriya Bariyarpur, P.O. Sripur, P.S. Cheriya Bariyarpur, District Begusarai. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Director, Municipal Administration, Urban Development and Housing Department, Government of Bihar, Patna.
4. Bakhri Nagar Parishad, P.O. and P.S. Bakhri, District Begusarai through the Administrator.
5. The Administrator, Bakhri Nagar Parishad, P.O. and P.S. Bakhri, District Begusarai.
6. The Executive Officer, Bakhri Nagar Parishad, P.O. and P.S. Bakhri, District Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Awnish Kumar, Advocate
For the Respondent/s : Mr.Subhash Pd. Singh (Ga3)

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

Date : 21-06-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

- (I) For issuance of an appropriate writ in the nature of **MANDAMUS** ,commanding and directing the Respondent nos. 5 and 6 for correction of clerical error in the work order issued in favour of the petitioner company vide his letter no.707 dated 23.06.2021 ,wherein though the work order was issued in favour of the petitioner for 11 (eleven) months from 25.06.2021 which was in consonance with the Short

Notice Inviting Tender and the agreement executed in between the parties however due to clerical error, the period was inadvertently mentioned as 25.06.2021 to 24.04.2022 though it should have been 25.06.2021 to 24.05.2022.

- (II) For issuance of an appropriate writ in the nature of **MANDAMUS**, commanding and directing the Respondent nos. 5 and 6 to allow the petitioner company to carry out the contract of solid waste management until 24.05.2022 i.e. for 11 (eleven) months from the date of commencement of contract i.e. 25.06.2021 since any curtailment in the period of contract would cause serious financial loss to the petitioner company as for the purposes of carrying out the work, the petitioner company has executed different agreements for 11 months and, therefore, any curtailment would cause financial loss to the petitioner.
- (III) For issuance of any other appropriate writ/writs, order / orders, direction/directions for which the writ petitioner would be found entitled under the facts and circumstances of the case.

Learned counsel for the petitioner seeks permission to withdraw this application.

Accordingly, this application is disposed of as
withdrawn.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/- Ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.06.2022
Transmission Date	NA