

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11730 of 2019

Krishi Yantra Kendra Chhoti Pahari Road Agam Kuan, Patna through its proprietor Vijay Kumar Choubey aged about 53 years Gender Male son of Dayanand Choubey, resident of Mohalla G-6, P.C. Colony Kankarbagh, P.S.-Kankarbagh Town and District of Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Urban Development Department, Bihar, Patna.
3. The Municipal Commissioner Patna Municipal Corporation, Patna.
4. The Additional Commissioner (Cleanliness) Patna Municipal Corporation, Patna.
5. The Additional Commissioner (Establishment) Patna Municipal Corporation, Patna.
6. The Chief Engineer Patna Municipal Corporation, Patna.
7. The Finance and Audit Patna Municipal Corporation, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Sharma, Advocate
For the Respondent/s	:	Mr. Subhash Pd. Singh, GA-3
		Mr. Prasoon Sinha, Advocate
		Mrs. Archana Palkar Khopde, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
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 25-11-2022

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



- (i) For quashing the part order dated 26.05.2015 passed by the purchase committee of the Patna Municipal Corporation which is contained in annexure-7 of their writ application and also quashing the part order contained in Memo no. 3236 dated 30.05.2015 by which 10% deducted amount of the petitioner due to increase of time which is contained in annexure-8 of the writ application.
- (ii) For direction the respondent grant and release 10% deducted amount sum of Rs. 1,32,800-00 which had become due to the petitioner since 2015.
- (iii) For issuance of other relief in which petitioner entitle in the facts and circumstances including interest @ 12% with effect from due till the date of realization.

After the matter was heard for some time, finding the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies, as are otherwise available, in accordance with law.



Permission granted.

We are sure that as and when any such proceedings are initiated, before the appropriate forum/Tribunal, the same shall be considered and decided expeditiously, in accordance with law.

Needless to add, period for which the petitioner has been pursuing the matter before this Court, shall be excluded for the purpose of computing limitation.

It is made clear that we have not expressed any opinion on merits. All issues are left open.

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

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

P.K.P./Amrendra

U			
---	--	--	--

