

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10347 of 2022

=====

The Institute of Environment and Eco Development through its Managing Director Sri I.N. Jha, aged about 56 years (Male), Son of Late Sushil Jha, having its office at ground floor, Shyam Nagar Colony, Maurya Path, Khajpura, P.O.- B.V. College, Patna, PIN- 800014, District- Patna (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Mining and Geology, Govt. of Bihar, Ground Floor, New Secretariat, Vikash Bhawan, Patna, Bihar.
2. The Special Secretary, Department of Mining and Geology, Govt. of Bihar, Ground Floor, New Secretariat, Vikash Bhawan, Patna, Bihar.
3. The Director, Department of Mining and Geology, Govt. of Bihar, Ground Floor, New Secretariat, Vikash Bhawan, Patna, Bihar.
4. The Under Secretary, Department of Mining and Geology, Govt. of Bihar, Ground Floor, New Secretariat, Vikash Bhawan, Patna, Bihar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Nikesh Kumar, Advocate
For the Respondent/s	:	Mr. Gyan Prakash Ojha, GA-7
		Mr. Yash Mathur, A.C. to G.A. 7
		Mr. Naresh Dixit, Spl. P.P. Mines
		Ms. Kalpana, Advocate
		Mr. Utsav Anand, Advocate

=====

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

Date : 10-08-2022

Heard learned counsel for the parties.

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



- (i) To pass appropriate order in the nature of writ of mandamus directing the respondent authorities to release the payment of the petitioners society as admitted dues by the Department of Mines & Geology Rs. 32,79,500/- in respect of 2nd instalment alongwith interest @ 18% from the date

of submissions of bills to the Respondent No. 3 till the payment to the petitioners in view of the successful work done by the petitioner society in respect of various work orders BIBIDH-16-17-2882, Dated 26.09.2017, BIBIDH-16-17-6097, Dated 11.11.2017 and BIBIDH-16-17-436, Dated 20.01.2018 in respect of District Survey Report (DSR) of various districts as per work orders allotted to the petitioner society alongwith cost of his proceedings.

- (ii) For any other relief/reliefs to which the petitioner is found entitled in the facts and circumstances of the case.

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)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	11.08.2022
Transmission Date	

