

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10145 of 2022

=====

Vivek Kumar Singh S/o Ramasharay Singh Resident of Village- Panditpura,
P.O.- Akorha, P.S.- Dinara, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Rural Works Department, Government of Bihar, Patna.
2. The Engineer-in-Chief, Rural Works Department, Government of Bihar, Patna.
3. The Superintending Engineer, Rural Works Department, Works Circle Sasaram, District- Rohtas.
4. The Executive Engineer, Rural Works Department Work Division Sasaram-2, District- Rohtas.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Dharmendra Kumar Sinha, Advocate Mr. Shashi Shekhar, Advocate
For the Respondent/s	:	Mr. Ajay, GA-5

=====

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) For issuance of appropriate writ in the nature of mandamus seeking direction to Respondents to provide alignment of road connecting at the place of work as the time of agreement assurance was given by the Respondent authority but after expiry of one year



connectivity at the place of work was not provided and petitioner is facing great difficulty to fulfill the agreement within time.

- ii) For issuance of appropriate writ in the nature of mandamus seeking direction to Respondent to revise and re-estimate the work done by the petitioner as tender was allotted to petitioner in January 2019 but agreement was made in September 2020 and value of material has increased and thus petitioner has suffered loss due to delay on the part of Respondent .
- iii) For issuance of appropriate writ in the nature of mandamus seeking direction to Respondents to pay the dues amount of Rs. 1672196 /= for work done by petitioner but bill was prepared by the department amounting to Rs. 1275099 only and after deducting 10% amount it was sent only for Rs. 1142589 /= and petitioner has received in his account only Rupees 766717 without any reason and thus petitioner has suffered heavy monetary loss.
- iv) For any other relief or reliefs for which petitioner is entitled for.

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	

