

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10633 of 2022

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Indradeo Prasad Yadav Son of Sri Shital Prasad Yadav, Resident of Near
Gumti No. 6, Sandalpur, P.S.- Bariarpur, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, General Administration Department,
Government of Bihar, Patna.
3. The High Level Committee for Regularization, through its Secretary-cum-
Additional Chief Secretary, General Administration Department,
Government of Bihar, Patna.
4. The Executive Engineer, Building Division Munger, Building Construction
Department, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar Choudhary, Adv
For the Respondent/s : Mr.Sheo Shankar Prasad (SC8)

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

Date : 11-08-2022

Heard learned counsel for the parties.

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

a) For issuance of a writ of mandamus commanding the Respondents to forthwith release the amount admitted by the Respondents to be paid to the Petitioner -- which has been withheld on the flimsy and unreasonable ground that for the want of fund amount is not being released.

b) For a further direction upon the Respondents to release the above said admitted amount along with compound interest/simple interest as this Hon'ble Court may reasonably arrive to the conclusion or to which Petitioner is entitled to in the background and facts and circumstances of the case.

c) For a further direction to the Respondents that the pendency of the writ application will not in any manner serve as a hindrance in making over the full and final payment along with the interest as claimed hereinabove in as much as the Petitioner's only source of income and livelihood is wholly and solely dependent

upon the payment of such bills which he undertakes as his pious profession.

d) To pass any other order/orders in shape of a consequential relief to which the Petitioner may be found to be legally entitled to in the facts and circumstances of the instant case at hand.

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, more so in view of the disputed question of fact, fairly states that petitioner be permitted to take recourse to such equally, efficacious alternative remedies as are available in accordance with law.

Permission granted.

Petition stands disposed of in the aforesaid terms.

We clarify that we have not adjudicated the dispute on merits. All questions of fact and law are left open to be agitated and adjudicated before the appropriate forum in appropriate proceedings.

Petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	