

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11299 of 2022

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Krishna Mohan Prasad son of Madhusudan Prasad Shrivastava, Resident of Ward No. 38, Dumduma, Police Station-Laheriasarai, District-Darbhanga, Proprietor, M/s New Surya Scientific and Surgico, Imambari, Laheriasarai, Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Govt. of Bihar, Patna.
2. The Principal Secretary Health and Family Welfare Department, Govt. of Bihar, Patna.
3. The Principal, Jawaharlal Nehru Medical College, Bhagalpur.
4. The Head of the Department, Pathology, Jawaharlal Nehru Medical College, Bhagalpur.
5. The Head of the Department Physiology, Jawaharlal Nehru Medical College, Bhagalpur.
6. The Head of the Department Pharmacology, Jawaharlal Nehru Medical College, Bhagalpur.
7. The Head of the Department Biochemistry, Jawaharlal Nehru Medical College, Bhagalpur.
8. The Head of the Department Microbiology, Jawaharlal Nehru Medical College, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Suman Kumar Singh, Advocate Mr. Suresh Chand Giri, Advocate
For the Respondent/s	:	Mr. Birju Prasad, GP- 13

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

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(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.)

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Date : 26-08-2022



Heard learned counsel for the parties.

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

1. That by this writ application the petitioner prays for, to issue a writ/ writs, rule/ rules and direction/directions to the respondents to make payment of balance amount of the cost of Machine of A.M.C. etc. with interest, which was supplied by the petitioner in terms of Tender invited and accepted by the purchase committee (Principal) of Jawaharlal Nehru Medical College, Bhagalpur after its full demonstration.

And any other relief/ reliefs for which the petitioner be found entitled in law be granted to him.

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, 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)

(Satyavrat Verma, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	30.08.2022
Transmission Date	

