

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11824 of 2022

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MDS INFRA NIRMAN PVT. LTD. Through its Director Mahesh Dev, (male) aged about 43 years, Son of Dr. Krishna Chandra Sah, Resident of Near Rajdhani Apartment, Road No. 01, Mahesh Nagar, Phulwari, Keshari Nagar, Phulwari, Patna, District- Patna, Pin No. 800024.

... .. Petitioner/s

Versus

1. The Managing Director, Bihar Medical Services and Infrastructure Corporation Limited (A Govt. of Bihar undertaking), 4th Floor, Bihar, Patna Building Construction Corporation Ltd., Hospital Road, Shastrinagar, Patna.
2. The General Manager (Project) Bihar Medical Services and Infrastructure Corporation, Limited, 4th Floor, Bihar, Patna Building Construction Corporation Ltd., Hospital Road, Shastrinagar, Patna.
3. The Deputy General Manager (Project) Bihar Medical Services and Infrastructure Corporation Limited, 4th Floor, Bihar State Building Construction Corporation Ltd. Hospital Road, Shastrinagar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Giri, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 24-08-2022

Petitioner has prayed for the following reliefs:-

“(a) For issuance of a writ or order or direction upon the respondents especially the respondent No. 2 to consider decide and take a decision on the representation made by the petitioner through letter No. MDS/BMSICL/02/2022-23 dated 19.04.22 and letter No. MDS/BMSICL/ 13/2022-23 dated 07.06.2022.

(b) For holding and a declaration that it is



unreasonable, arbitrary and unfair on the part of the respondents in sitting tight over the representations with legitimate grievance submitted by the petitioner through letter No. MDS/BMSICL/02/2022-23 dated 19.04.2022 and letter No. MDS/BMSICL/13/2022-23 dated 07.06.2022 without any rhyme and reason.

(c) For further issuance of a writ or order or direction upon the respondents to redress the grievance of the petitioner as espoused in the representation as contained in the letter No. MDS/BMSICL/02/2022-23 dated 19.04.2022 and letter No. MDS/BMSICL/13/2022-23, dated 07.06.2022.

(d) For further issuance of a direction upon the respondents not to take any coercive action against the petitioner till disposal of this writ petition.

(e) For grant of any other relief or reliefs to which the petitioner is found entitled to in the facts and circumstances of the case.”

After the matter was heard for some time, finding the Court not in favour of the submissions made by the learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition, with liberty to initiate appropriate proceedings before the



appropriate forum and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

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

Liberty reserved to the petitioner to take recourse to such other remedies as are otherwise available in accordance with law.

It stands clarified that all issues of fact and law are left open to be agitated by the competent authority.

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

(Sanjay Karol, CJ)

(Satyavrat Verma, J)

K.C.Jha/Kundan

AFR/NAFR	
CAV DATE	
Uploading Date	25.08.2022
Transmission Date	

