

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16777 of 2021

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M/S Maurya Motors Private Ltd. through its Director Mohan Himatsingka aged about 68 years (male) Son of Late Ram Jiwan Himatsingka, registered office Plot C- 1, Patliputra Industrial Area, Police Station- Patliputra, Patna - 800013.

... .. Petitioner/s

Versus

1. The Bihar Urban Infrastructure Development Corporation Ltd. through its Managing Director, 2nd Floor, Khadya Bhawan, Daroga Rai Path, Road No. 2, R- Block, Patna - 1.
2. The Chief General Manager, Bihar Urban Infrastructure Development Corporation Ltd. 2nd Floor, Khadya Bhawan, Daroga Rai Path, Road No. 2, R- Block, Patna - 1.
3. The General Manager Finance, Bihar Urban Infrastructure Development Corporation Ltd. 2nd Floor, Khadya Bhawan, Daroga Rai Path, Road No. 2, R- Block, Patna - 1.
4. The Project Director (SIU -01), Bihar Urban Infrastructure Development Corporation Ltd. 2nd Floor, Khadya Bhawan, Daroga Rai Path, Road No. 2, R- Block, Patna - 1.
5. The Patna Municipal Corporation through Municipal Commissioner, Patna Municipal Corporation, Patna.
6. The Chief Executive Officer, Patna Municipal Corporation, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Jitendra Prasad Singh, Advocate
For the BUIDCO	:	Mr. Rabindra Kumar Priyadarshi, Advocate
For the PMC	:	Mr. Prasoon Sinha, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-08-2022

Petitioner has prayed for the following relief(s):

“For issuance of an appropriate writ/writs direction to the respondents to pay outstanding amount with 18% interest to the



petitioner amounting to Rs.53,96,875/- (Rupees Fifty Three Lacs Ninety Six Thousand Eight Hundred Seventy Five) as part price of 75 numbers of Auto Tipper as per purchase order dated 2.3.2017 of the respondents which has been supplied by the petitioner for use of Patna Municipal Corporation and or to grant any other relief or reliefs for which petitioner is legally entitled 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)

(S. Kumar, J)

K.C.Jha/DKS

AFR/NAFR	
CAV DATE	
Uploading Date	22.08.2022
Transmission Date	

