

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12441 of 2022

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Kishore Kumar Rai Son of Late Janardan Rai @ Jandin Rai Resident of Shahi Colony Hajipur Town, P.S.-Hajipur Town, District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Building Construction Department, Govt. of Bihar, Patna.
2. The Collector-Cum-District Magistrate, Vaishali at Hajipur.
3. The Executive Engineer, Vaishali Building Division, Hajipur, District-Vaishali.
4. The Sub-Divisional Officer, Mahua, P.s.-Mahua, District-Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Braj Kishore Singh Chouhan, Advocate
		Mr. Raki Alam, Advocate
For the Respondent/s	:	Mr.Amit Prakash (GA13)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 01-09-2022

Heard learned counsel for the parties.

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

- (i) A direction be passed to respondents for making available the bill amount for payment to the petitioner sought for by the Executive Engineer amounting Rs.14,78,700/-.
- (ii) A direction be further passed to Executive Engineer to make payment of the two bills



each of Rs.7,53,700/- and Rs. 7,25,000/-
respectively.

(iii) To grant statutory interest over the dues
from the date of completion of work as per
utility Certificate.

(iv) To grant any other relief or reliefs to which
the petitioner is entitled under law.

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)

P.K.P./-

AFR/NAFR	
CAV DATE	
Uploading Date	02.09.2022
Transmission Date	

