

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13241 of 2022

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Neergagan Construction Pvt. Ltd. through its Managing Director, Dilip Kumar, aged about 48 years, Male, son of Chandradev Rai, resident of Village-Mahua Bagh, P.O.-Sakricha, P.s.-Parsa Bazar, District-Patna, at present resident of Mohalla-Muradpur, P.O. Mubarkpur, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar .
2. The Additional Chief Secretary, Rural Work Department, Bihar at Patna.
3. The Engineer in Chief Rural Work Department, Bihar at Patna.
4. The Chief Engineer-1 Rural Work Department, Bihar at Patna.
5. The Superintending Engineer, Patna Circle, Rural Work Department, Patna.
6. The Executive Engineer, Rural Work Department, Works Division, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate

For the Respondent/s : Mr. Ajay, GA-5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
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 : 16-09-2022

Heard learned counsel for the parties.

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



- 1 That this writ petition is being filed for issuance of a writ in the nature of writ of mandamus, directing the respondents authority to payment of admitted dues amount Rs. 772422 to the petitioner with interest 12% per annum with regard to supplementary agreement No.1 MBD (MMGSY-WB)/2021-2022 of original agreement No.1/MBD (MMGSY-WB) 2017-18 for construction of five years maintenance of Road from PMGSY Kharbhaiya Dhobi Ghat to Niyamatpur of Daniyawan Block of Patna (Package No. MMGSY WB-16, Patna-1) and be further please to pass an appropriate writ or writs, direction or directions as your lordships may deem fit and proper.

In view of the fact that Bihar Public Works Dispute Arbitration Tribunal is now functional, learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petition with liberty to take recourse to such other appropriate remedies, as are otherwise available, in accordance with law.

Permission granted.

As and when any such request is made by the petitioner before the Tribunal, the same shall be considered and



decided expeditiously.

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)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	23.09.2022
Transmission Date	

