

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14550 of 2019

=====

Amit Kumar, Son of Sri Binay Kumar Sinha Resident of Mohalla- Vijay Nagar, P.O.- Lohia Nagar, P.S.- Patrakar Nagar, District- Patna- 26, State- Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Sinchai Bhawan, Patna- 15.
2. The Principal Secretary, Water Resources Department, 'Sinchai Bhawan', Patna- 15.
3. The Engineer-in-Chief, Flood Control and Water Drainage, Water Resources Department, 'Sinchai Bhawan', Patna- 15.
4. The Chief Engineer, Flood Control and Water Drainage, Water Resources Department, Muzaffarpur.
5. The Superintending Engineer, Water Resources Department, Flood Control Circle, Sitamarhi.
6. The Executive Engineer, Water Resources Department, Water Drainage Division, Sitamarhi.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. P.K.Shahi, Sr. Advocate Mr.Manish Sahay, Advocate Mr. Anil Kumar Sinha, Advocate
For the Respondent/s	:	Mr.Anjani Kumar, AAG 4 Mr. Shailendra Kumar Sinha, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-12-2022 Petitioner has prayed for the following relief(s):-

“(I) For quashing of rescinding order, issued vide letter No. 46 Sitamarhi dated 28.10.2019, issued under signature of the Executive Engineer (i.e respondent No. 6) as contained in Annexure-P-8, by which Agreement No. 01 SBD of 2018-19 of the



petitioner has been rescinded in most arbitrary manner, colourable exercise of power as well as before the agreement period.

(ii) For directing the concerned respondent either allow the petitioner to complete entire work within 12 (Twelve) months next as per agreement or refund his entire security deposit/ Additional Performance Security/ Performance Security deposit amount as deposited by the petitioner.

(iii) For declaring that the actions of the respondents are arbitrariness, malafide, malicious, colourable exercise of power as well as contrary to provision of agreement.

(iv) For further passing such an Order or Orders for which the petitioner is entitled under the law in the facts and circumstances of this case.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petition reserving liberty to file a fresh petition, on the same and subsequent cause of action, placing on record the intervening developments, if so required and desired.

Permission granted with liberty, as prayed for.

As and when any such petition is filed, the same shall be processed and listed on priority basis.

Instant petition stands disposed of as withdrawn in the aforesaid terms.

Interlocutory Application(s), if any, stands



disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Sujit/-

U			
---	--	--	--

