

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19988 of 2021

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Surendra Prasad Chaurasiya Son of Late Sakaldhari Prasad Chaurasiya (The Secretary, Jan Vikas Samiti), R/o At and P.O.- Hans Nagar, Husse Chapara at present residing at Maithwalyaa Bazar Samiti Chapara, Pin- 841301.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna.
2. The Additional Secretary-cum-Director, Urban Development, Govt. of Bihar, Patna.
3. The Chief Counselor, Nagar Parishad, Chapra.
4. The Municipal Commissioner, Municipal Corporation, Chapra.
5. The Executive Officer, Municipal Corporation, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Tiwary, Advocate
For the Respondent/s : Mr. Abbas Haider (S.C. 6)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

(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.)

2 04-02-2022 Heard learned counsel for the parties.

Petitioner has prayed for following relief(s) :

“A. The memo No.131 dated 1.2.2019 (Anx. pg) issued under the signature of the respondent no.4 may kindly be quashed as the same having no sanctioned of law.

B. The answering respondents may kindly be directed to not take any adverse



action against the petitioner without taking records of law and without holding the petitioner guilty for the action impugned (if any) following by the due process of law.

C The respondents may kindly be directed to ensure following payment in favour of the petitioner : -

I. Rs.11,70,000-4,00,000 + Rs.7,70,000/- towards the training conducted for employment generation/skill development among the unemployed poor person.

ii. Rs.9,18,000-4,00,000= 5,18,000/- towards Basic orientation programme conducted for Group Organization Group Training.

iii. Rs.10,80,000-9,72,000= 1,08,000/- towards Skill Development Women Training Programme among 216 members of 18 groups.

iv. Rs.13,78,000-12,40,000=01,38,000/- towards Micro enterprises, facilitating financial Nurishment, all the above said scheme programme performed under the S.J.S.R.Y. i.e. Swarn Jayanti Shahri Rojgar Yojna.

v. Rs.6,21,000-4,00,000 (paid vide 2 cheque dated 20.8.2012 & 24.8,2022) =2,21,000/- towards soil western management under motivation training of ward no.11 to 44 as for the same work order was extended vide letter no.169 on 8.7.2012.

D. The respondents further be directed to make payment of statutory/penal interest over all the abovesaid dues on the ground of delayed payment along with



litigation cost.

E. Any other relief or relief also may kindly be allowed for which the petitioner be found entitle in the opinion of this Hon'ble Court.”

After the mater was head for some time, finding the Court not to be 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 take recourse to such other alternate remedies which are equally efficacious in law before the appropriate forum.

Prayer allowed.

The petition is dismissed as withdrawn with the liberty aforesaid.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/chn

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