

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.791 of 2022

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Niraj Kumar Pandey Son of Ramashankar Pandey, Resident of Village
Fatahpur, P.S. Sheohar, District- Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Building Construction Department, Government of Bihar, Patna.
2. The Joint Secretary, Building Construction Department, Govt. of Bihar, Patna.
3. The Collector, Sheohar.
4. The Superintending Engineer, Building Construction Department, Building Circle, Motihari.
5. The Executive Engineer, Building Construction Department, Building Division, Sheohar.
6. The Assistant Engineer, Building Construction Department, Building Division, Sheohar.
7. The Junior Engineer, Building Construction Department, Building Division, Sheohar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Devendra Kumar, Advocate
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 22-02-2022

Heard learned counsel for the parties.

Petitioner has prayed for following reliefs:-

(I) For issuance of writ or writs in the nature of mandamus directing and commanding the respondent authority specially Executive Engineer, Building Division, Sheohar for payment of the due amount of Rs.1,53,483/- along with statutory interest for the work done by the petitioner in compliance of the Agreement No.61 F2-2019-

20 for repair/rejuvenation of latrine construction works in the residential campus of District Collectorate as well as for payment of the due amount of Rs.91,483/- along with statutory interest work done by the petitioner in compliance of the Agreement No.50 F2-2019-20 for painting / colouring and other works of residential quarter of District Magistrate Sheohar on the eve of 26th January 2020 and also for further payment of the due amount of Rs.2.88,402/- along with statutory interest for the work done by the petitioner in compliance of the Agreement No. 63 F2-2019-20 for repair/rejuvenation of Meeting Hall in Collectoarte office building, Sheohar.

(ii) For further direction to the respondent authorities to make disposal of the representation of the petitioner by reasoned and speaking order within time framed.

(iii) For any other relief/reliefs for which your Lordships may deem fit and proper.”

After the mater 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 will 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.

It stands clarified that all issues of fact and law are left open.

The petition is disposed of as withdrawn with the liberty aforesaid.

Interlocutory application(s), if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-Ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.02.2022
Transmission Date	NA