

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19553 of 2019

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Kamlesh Kumar, Son of Ramashish Sharma, Resident of Village- Labhibag,
P.S.- Mufassil, Shrimatpur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Minor Water Resources Department, Government of Bihar, Patna.
2. The Chief Engineer Minor Water Resources Department, Government of Bihar, Patna.
3. The Superintendent Engineer Minor Irrigation Circle, Gaya.
4. The Executive Engineer Minor Irrigation Division, Nawada.
5. The Assistant Engineer Minor Irrigation Sub-Division, Govindpur, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Abhay Kumar Singh, Advocate
For the Respondent/s : Mr.Ajit Kumar (GA9)
Mr. Nalin Vilochan Tiwary, AC to GA-9

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

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 22-12-2022 The petitioner has prayed for the following
relief/s :-

“For issuance of appropriate writs/orders/directions in the nature of writ of Mandamus directing the respondents to make payment of approved bill with interest by the Executive Engineer, Minor Irrigation Division, Nawada, Respondent no. 4, after measurement of work site order namely Executive Renovation of



Sarkanda Ahar Pyne Irrigation System under Govindpur Block of Nawada District, for Unique Code No. BR/NWD-208 for the period 04-08-2015 to 03-08-2016 and the Measurement Book contains 100 printed pages issued by Sri Shailendra Kumar Singh, Assistant Engineer, Minor Irrigation Sub-Division, Govindpur (Camp. Rajauli) Nawada, amounting to Rs. 58,25,735/- (Rupees fifty eight lakh twenty five thousand and seven hundred thirty five only) already approved and posted by the Respondent no. 4 on 28-11-2016 after completion of work of Sarkanda Ahar Pyne Irrigation System on the basis of agreement no. MID/NWD/SBD-01/2015-16 dated 04-08-2015 and Supplementary agreement no. SBD-01(A)2015-16 dated 19-03-2016 but till date it has not been paid to petitioner, although the Executive Engineer, Minor Irrigation Division, Nawada, Respondent no. 4 has sought for allotment of fund vide letter no. 315 dated 29-04-2017 addressed to Respondent no. 2 due to non-payment of the completed Project bill amount to petitioner is facing financial hardship.”

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 with better and complete particulars, on the same and subsequent cause of action, 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)

Ashwini/Sujit

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