

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.106 of 2020

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Archiplus through its working Partner Mr. Ashesh Kumar, aged about 47 years (Male), Son of Late S.P. Shrivastava, Resident of Mohalla- New Punaichak, P.O. and P.S.- Shastri Nagar, Patna- 23, Office Address- Mohalla-Fraser Road, Dumraon Place, L- 209-210, P.O.- G.P.O., P.S.- Gandhi Maidan, Patna-1.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Tourism Department, Government of Bihar, Old Secretariat, Patna- 15.
2. The Principal Secretary, Tourism Department, Government of Bihar, Old Secretariat, Patna- 15.
3. The Additional Secretary, Tourism Department, Government of Bihar, Old Secretariat, Patna- 15.
4. The Deputy Secretary, Tourism Department, Government of Bihar, Old Secretariat, Patna- 15.
5. The Special Secretary, Tourism Department, Government of Bihar, Old Secretariat, Patna- 15.
6. Bihar State Tourism Development Corporation Ltd. (A Government of Bihar Undertaking) through its the Managing Director, Hotel Kautilya, Birchand Patel Path, Patna-1.
7. The Managing Director, Bihar State Tourism Development Corporation Ltd., (A Government of Bihar Undertaking), Hotel Kautilya, Birchand Patel Path, Patna-1.
8. The Managing Director, Bihar State Tourism Development Corporation Ltd., (A Government of Bihar Undertaking), Hotel Kautilya, Birchand Patel Path, Patna-1.
9. The Chief Engineer, Bihar State Tourism Development Corporation Ltd., (A Government of Bihar Undertaking), Hotel Kautilya, Birchand Patel Path, Patna-1.
10. The Executive Engineer, Bihar State Tourism Development Corporation Ltd., (A Government of Bihar Undertaking), Hotel Kautilya, Birchand Patel Path, Patna-1.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 25709 of 2019

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Archiplus through its working partner Mr. Ashesh Kumar aged about 47 years Son of Late S.P. Shrivastava, Resident of Mohalla-New Punaichak, P.O. and P.S.-Shastrinagar, Patna-23 Official Address-Mohalla-Fraser Road, Dumraon Place, L-209-210, P.O.-G.P.O., P.S.-Gandhi Maidan, Patna-1.



... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Tourism Department, Government of Bihar, Old Secretariat, Patna-15.
2. The Principal Secretary, Tourism Department, Government of Bihar, Old Secretariat, Patna-15.
3. The Additional Secretary, Tourism Department, Government of Bihar, Old Secretariat, Patna-15,
4. The deputy Secretary, Tourism Department, Government of Bihar, Old Secretariat, Patna-15,
5. The Special Secretary, Tourism Department, Government of Bihar, Old Secretariat, Patna-15,
6. Bihar State Tourism Development Corporation Ltd. (A Government of Bihar, Undertaking) through its The Managing Director, Hotel Kautilya, Birchand Patel Path, Patna-1,
7. The Managing Director, Bihar State Tourism Development Corporation Ltd, (A Government of Bihar, Undertaking), Hotel Kautilya, Birchand Patel Path, Patna-1.
8. The Managing Director, Bihar State Tourism Development Corporation Ltd, (A Government of Bihar, Undertaking), Hotel Kautilya, Birchand Patel Path, Patna-1.
9. The Chief Engineer, Bihar State Tourism Development Corporation Ltd, (A Government of Bihar, Undertaking), Hotel Kautilya, Birchand Patel Path, Patna-1.
10. The Executive Engineer, Bihar State Tourism Development Corporation Ltd, (A Government of Bihar, Undertaking), Hotel Kautilya, Birchand Patel Path, Patna-1.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 106 of 2020)

For the Petitioner/s : Mr.Manish Sahay, Advocate

For the Respondent/s : Mr. Sita Ram Yadav, GP-6

Ms. Anukriti Jaipuriar, Advocate

Mr. Kumar Abhimanyu Pratap, Advocate

(In Civil Writ Jurisdiction Case No. 25709 of 2019)

For the Petitioner/s : Mr.Manish Sahay, Advocate

For the Respondent/s : Mr.Ajit Kumar, GA 9

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)



3 06-09-2022 Petitioner in CWJC No. 106 of 2020, has prayed for
the following relief(s):-

- (I) **For commanding and directing** to the concerned respondent to pay the admitted bill amount of **Rs. 52,31,392/- (Rupees Fifty Two Lakhs Thirty One Thousands Three Hundred Ninety Two) Only** in favour of the petitioner relates to remuneration of preparation of D.P.R (Detailed Project Reports) of different projects under respondent's department.
- (II) **For commanding and directing** the concerned respondent to pay interest over said admitted amount @ 12% per annum from its due date and till the date of its realization.
- (III) **For passing** such an order or orders for which the petitioner is entitled under the law in the facts and circumstances of this case.

Petitioner in CWJC No. 25709 of 2019, has prayed
for the following relief(s):-

- (I) **For commanding and directing** to the concerned respondent to pay the admitted bill amount of **Rs. 2,05,11,493/- (Rupees Two Crore Five Lakhs Eleven Thousand Four Hundred Ninety Three) only** in favour of the petitioner relates to remuneration of preparation of Drawing and D.P.R (Detailed Project Reports) of different projects under respondent's department.
- (II) **For commanding and directing** the concerned respondent to pay interest over said admitted



amount @ 12% per annum from its due date and till the date of its realization.

(III) **For 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, finding the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petitions reserving liberty to take recourse to such other remedies, as are otherwise available, in accordance with law.

Permission granted.

We are sure that as and when any such proceedings are initiated, before the appropriate forum/Tribunal, the same shall be considered and decided expeditiously, in accordance with law.

Needless to add, period for which the petitioner has been pursuing the matter before this Court, shall be excluded for the purpose of computing limitation.

It is made clear that we have not expressed any opinion on merits. All issues are left open.



The petitions stand disposed of as withdrawn with
the liberty aforesaid.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/-

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