

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.251 of 2020

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Upendra Kumar Sharma, Son of Sri Purushottam Sharma, Proprietor of M/S Narayan Printers, Near S.B.I. Bank, West Patel Nagar, P.S.-Shashtri Nagar, Town and District-Patna. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
3. The Bihar State Textbook Publishing Corporation Limited through its Managing Director, Budh Marg, Patna.
4. The Managing Director, Bihar State Textbook Publishing Corporation Limited, Budh Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Bipin Bihari Singh, Advocate
For the Respondent/s	:	Ms. Binita Singh (SC 28)
		Ms. Anukriti Jaipuriyar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 30-08-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

“For issuance of an appropriate writ/writs, order/orders, direction/directions to concern authorities for the payment of admitted amount of contract amounting Rs.22,64,135 (Twenty Two Lakh Sixty Four Thousand and One Hundred Thirty Five) only and Rs.44,331 (Forty Four Thousand and Three Hundred Thirty One) only, which remains unpaid till date maliciously and arbitrarily and additionally the interest on delayed payment at the market rate without consuming more time and for the other necessary relief/reliefs on the basis of the facts and circumstances of the case as stated hereinafter.”

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, more so in view of the disputed question of fact, fairly states that petitioner be permitted to take recourse to such equally, efficacious alternative remedies as are available in accordance with law.

Permission granted.

We clarify that we have not adjudicated the dispute on merits. All questions of fact and law are left open to be agitated and adjudicated before the appropriate forum in appropriate proceedings.

Petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/- Ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.08.2022
Transmission Date	NA