

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19407 of 2016

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Ranjeet Kumar son of Hari Narayan Singh Resident of Village/Mohalla -
Vaishnavi Colony, Sandalpur, P.S. - Bahadurpur, District - Patna - 800006
Bihar.

... .. Petitioner/s

Versus

1. The Bihar Rajya Pul Nirman Nigam Limited through its Managing Director,
Bihar, Patna.
2. The Chief Engineer, Bihar Rajya Pul Nirman Nigam Limited, Bihar, Patna.
3. The Deputy Chief Engineer, South Bihar Circle, Bihar Rajya Pul Nirman
Nigam Limited, Bihar, Patna.
4. The Senior Project Engineer, Bihar Rajya Pul Nirman Nigam Limited, Work
Division No. 1, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Respondent/s : Mr. Rabindra Kumar Priyadarshi, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 12-05-2023

In the instant petition, petitioner has prayed for
following reliefs:-

"That the present writ petition is
being filed for issuance of appropriate writ/
writs, direction/ directions, Order/ Orders to
the Respondents for cancellation of Deed of
Agreement dated 20.07.2016 which has
been done in between the Petitioner and the
Senior Project Engineer, the Bihar Rajya Pul
Nirman Nigam Limited for settlement of
Parking Area under Patna Town from
Gandhi Maidan to Chiriyatar Flyover P1 to
P3, P6 to P11, P11 to P12, P12 to P17 and
A2 to P17 total parking area 2145 Sq. Meter
(Approx) for one year from 21.07.2016 to



20.07.2017 but in the said area the Authority dumping the waste materials and unsocial elements have in parking area and committed crime due to which the Petitioner had informed the Authority concerned regarding the said act, due to which under such circumstances the Petitioner wants cancelation of his Deed of Agreement dated 20.07.2016 and the interest of earnest money also may return."

2. The reliefs sought in the present petition cannot be granted under Article 226 of the Constitution for the reasons that petitioner is seeking a writ of mandamus directing the respondents for cancellation of deed of agreement dated 20.07.2016. For cancellation of deed of agreement, the petitioner has a remedy of filing civil suit or if there is any clause under the agreement available to the petitioner or respective parties, in that event petitioner is permitted to invoke such remedy.

3. With the above observations, the present writ petition stands disposed of as not maintainable.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

rakhi/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	19.05.2023
Transmission Date	N.A.

