

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17200 of 2022**

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Pappu Kumar, Son of Sri Jagdish Ram, Resident of Mohalla- Shastri Nagar,  
Kanhauri, P.S.- Mithanpura, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Urban Development and Housing Department, Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Bihar, Patna.
3. The Municipal Commissioner, Muzaffarpur Municipal Corporation, Muzaffarpur.
4. The Executive Engineer, Muzaffarpur Municipal Corporation, Muzaffarpur.
5. The Assistant Engineer, Muzaffarpur Municipal Corporation, Muzaffarpur.
6. Sri Nageshwar Mandal son of not known to the Petitioner Junior Engineer, Muzaffarpur Municipal Corporation, Muzaffarpur.
7. The Chief Engineer, BUDCO, Muzaffarpur.
8. The Executive Engineer, BUDCO, Muzaffarpur.

... .. Respondent/s

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**Appearance :**

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|----------------------|---|------------------------------------------|
| For the Petitioner/s | : | Mr. Vinay Ranjan, Advocate               |
| For the Respondent/s | : | Mr. Indeshwari Prasad Thakur, AC to GA-3 |
|                      |   | Mr. Subhash Pd. Singh ,GA-3              |
|                      |   | Mr. Rabindra Kumar Priyadarshi, Advocate |
|                      |   | Mr. Lalit Kishore, Advocate              |
|                      |   | Mr. Anurag Saurav, Advocate              |

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE PARTHA SARTHY**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 24-01-2023**

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“That this is an application for issuance of a Writ in the nature of certiorari to quash the order dated 14.07.2022, passed by Municipal Commissioner, Muzaffarpur



Municipal Corporation, Muzaffarpur, whereby and where under he was pleased to reject the bill of executed work and petitioner was directed to re-execute the work in accordance with sanctioned estimate and further for issuance of writ in the nature of mandamus commanding and directing the Municipal Commissioner, Muzaffarpur Municipal Corporation, Muzaffarpur to make payment of worth of Rs. 64,96,177/- (Sixty Four Lacs Ninety Six Thousand and One Hundred Seventy Seven) to the petitioner for completed work executed by him in the year 2018 along with appropriate penal interest according to measurement book which has been booked by the Junior Engineer and verified by the Executive Engineer respectively and further for issuance of any other appropriate writ/ writs, order/orders it may deem fit and proper by this Hon'ble Court.”

In view of the fact that Bihar Public Works Dispute Arbitration Tribunal is now functional, learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petition with liberty to take recourse to such other appropriate remedies, as are otherwise available, in accordance with law.

Permission granted.

As and when any such request is made by the petitioner before the Tribunal, the same shall be considered and decided expeditiously.



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

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

**(Sanjay Karol, CJ)**

**(Partha Sarthy, J)**

Shiv/PKP

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