

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.176 of 2023

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Avinash Kumar Son of Late Raj Kumar Prasad Singh Resident of Mohalla-2H/83, Bahadurpur Housing Colony, P.S.- Kankarbagh, District and in the Town- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resources Department, Baily Road, Patna.
2. The Chief Engineer, Shiksha Bhawan, Rastrabhasa, Parisad Campus, Acharya Shivpujan Path, Saidpur, Patna- 800004.
3. The Executive Engineer, Bihar State Educational Infrastructure Development Corporation, Darbhanga.
4. The Managing Director, Bihar State Educational Infrastructure Development Corporation, Shiksha Bhawan, Rastrabhasa, Parisad Campus, Acharya Shivpujan Path, Saidpur, Patna- 800004.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Uday Prasad Singh, Advocate
For the Respondent/s	:	Mr. Kameshwar Kumar (GP 17)
		Mr. Arbind Kumar, AC to GP 17
For the BSEIDC	:	Mr. Girijesh Kumar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 01-02-2023

Petitioner has prayed for the following relief(s):

“(i) The impugn office memo no. 82 dated 09.6.2022, BSEIDC/DBG/EX/407/2022 dated 22.04.2022, dated 09.06.2022 (Annexure-1) issued under the signature of respondent whereby and where under the petitioner has been close the agreement/suspended from participating in any ensuing tender of the respondent department', recovery of penalty order, from the bills of the



petitioner and show cause notice for closers of agreement of the petitioner have been passed respectively on a wrong and erroneous assumption of facts illegally, arbitrarily, whimsically coupled with oblique motive and without application of mind to the explanation submitted by the petitioner, be quashed.

(ii) The respondents be commanded to connection with contract work namely "Construction of Senior Secondary Schools on Panchayat Level in Bihar Group no.SSC-196C.

(iii) The Respondents be commanded not to disturb the petitioner's business in any manner including participation in any ensuing fresh tender of the department.

(iv) Any other relief/s to which the petitioner is found entitled, be extended to the petitioner.”

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 also stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Saurabh/K.C.Jha

AFR/NAFR	
CAV DATE	
Uploading Date	02.02.2023
Transmission Date	

