

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.83 of 2023

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Titu Badwal Son of Late Sohan Singh, Resident of Mohallah - Professor's Colony, Milan Patty, Kishanganj, Police Station- Kishanganj (Muffasil), District - Kishanganj (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Building Construction Department, Government of Bihar, Nirman Bhawan, Bailey Road, Patna.
2. The Engineer-in-Chief-cum-Additional Secretary, Building Construction Department, Government of Bihar, Nirman Bhawan, Bailey Road, Patna.
3. The Chief Engineer Patna, Building Construction Department, Government of Bihar, Nirman Bhawan, Bailey Road, Patna.
4. The Superintending Engineer, South Bihar Circle, Punaichak, Patna.
5. The Executive Engineer, Gardanibagh Building Division, Behind Officers Flat, Bailey Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Tiwary, Advocate
For the Respondent/s : Mr. Amit Prakash, GA-13

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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

Heard learned counsel for the parties.

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

“A. For quashing the impugned order (Annexure-16) by which the Respondent Engineer-in-chief suspended the petitioner's Registration No. Class I No. 1190033 for 03 (three) years from the date of the issuance of Suspension Order vide Letter No. 4778 (Bhawan) dated 24.08.2021 malafidely against the mandate of article 14 of the Constitution as well as in



violation of the basic principle of the Natural Justice i.e. without considering the show cause submitted by the petitioner.

B. For staying the operation of the impugned suspension order by which the Engineer-in-Chief has suspended the petitioner's Registration No. Class-I 1190033 for 03 (Three) years vide Letter No. 4778 (Bhawan) dated 24.8.2021.

C. Any other relief or reliefs for which the petitioner is entitled to."

Learned counsel for the respondents states that appeal preferred by the petitioner assailing the order passed by the authority shall positively be decided within a period of two weeks from today.

Statement accepted and taken on record.

In view of the same, learned counsel for the petitioner does not press the present petition.

The instant petition stands disposed of as not pressed reserving liberty to the petitioner to file a fresh petition should the need so arise subsequently on the same and subsequent cause of action.

Needless to add, the Appellate Authority shall dispose of the appeal by passing a reasoned and speaking order, of course after complying with the principles of natural justice as also affording opportunity to the petitioner to place on record



additional relevant material.

Copy of the reasoned order be supplied to the petitioner.

We have not expressed any opinion on merits. All issues are left open.

Instant petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	02.02.2023
Transmission Date	

