

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24406 of 2019

=====

Ms. Soni and Company through its Partner Mukesh Kumar Singh aged about 42 years (M), son of late Kedar Pd. Singh, K.K.M. College Road, Jamui, P.s. and Dist.- Jamui

... .. Petitioner/s

Versus

1. The State of Bihar through Executive Engineer, RWD, Works Division, Jamui
2. Engineer in Chief Rural Works Department (RWD), State of Bihar, Patna
3. Secretary Rural Works Department, Govt. of Bihar, Patna
4. Superintending Engineer Rural Works Department, Works Circle, Munger
5. Executive Engineer RWD, Works Division, Jamui

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh, Advocate
For the Respondent/s : Mrs.Archana Meenakshee (GP 6)

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 04-01-2023

Petitioner has prayed for the following relief(s):

“I. That, for setting aside the office order contained in Memo No. 1033/Jamui, dt. 19.6.18, communicated to the petitioner after four months, through registered post on 11.10.18, whereby and where under security deposit to the tune of Rs.1062379/- of the petitioner has been forfeited against his final bill.

II. That, payment further prays for direction upon the respondents for payment of



final bill including forfeited security deposit and apart from that final payment should be calculated after adding 18% interest per annum for the delayed period right from the date when it was due to the date of its final realization.

III. That, respondents may kindly be punished for their deliberate act of harassing this petitioner. Petitioner has already completed the entire work as per specification agreed in between the parties, in presence of officials/respondents of Rural Works Department in 2018, i.e. much after the so called order of termination of contract. At one hand they have terminated the agreement, and on the other hand they have remained been taking work from the petitioner even after so called order of termination of contract.

IV. That, for any other relief for which petitioner is found entitled in the facts and circumstances of this case.”

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.

Mrs. Archana Meenakshee, learned GP 6, states that if the application is filed within a period of four weeks from today, limitation shall not be allowed to come in the way of its consideration and decision on merits since the petitioner has been pursuing remedies before this Hon'ble Court.

Statement accepted and taken on record.

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)

K.C.Jha/DKS

AFR/NAFR	
CAV DATE	
Uploading Date	07.01.2023
Transmission Date	

