

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14132 of 2015

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Vishundeo Prasad son of Late Baso Mahto, resident of Mohalla- Patel Nagar,
P.S.- Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Department of Education Primary, Government of Bihar, Patna.
4. The District Magistrate, Sheikhpura.
5. The District Education Officer, Sheikhpura.
6. The District Programme Officer, Primary Education and Sarv Shiksha Abhiyan, Sheikhpura.
7. The Block Education Officer, Barbigha, District- Sheikhpura.
8. The Headmaster Utkramit Middle School, Koaribigha, Barbigha, District- Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar, Advocate
For the Respondent/s	:	Mr. Mani Kant Mishra, GP-25
		Mr. Anil Kumar Singh, GP-26

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 16-02-2024 1. Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The petitioner by filing the instant writ application
has prayed for a direction to the respondents to release the
amount of Rs. 2,56,605/- in favour of the petitioner which had
been illegally retained by the respondent authorities alleging
incomplete construction of work carried out by the petitioner in
the school.



3. In the opinion of the Court, the matter in issue involves disputed question of facts which cannot be decided in a writ application under Article 226 of the Constitution of India.

4. After some argument learned counsel for the petitioner prays to withdraw the instant application with liberty to pray for the relief as prayed in the instant writ application in an appropriate suit in the learned trial Court.

5. The writ application stands disposed of as withdrawn with the aforesaid liberty.

6. It is made clear that the Court has not gone into the merits of the case of the parties.

(Partha Sarthy, J)

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