

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1357 of 2023

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M/s Samrat Buildtech India (P) Ltd. H.o.- Middle Chowk, Murliganj, Kolhay
Pati, Post and P.S.- Murliganj, Dist.- Madhepura- 852113 through its Director
Manoj Kumar, age- 45 years, Gender- Male, R/o Ward no.- 5, Kolhaypatti,
Post- Raghunathpur, P.S.- Murliganj, Dist.- Madhepura- 852122.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Building Construction Department,
Bishweshraiya Bhavan, Bailey Road, Patna.
2. The Managing Director, Bihar State Building Construction Corporation Ltd,
Shastrinagar, Patna.
3. The Engineer in Chief, Building Construction Department, Bishweshraiya
Bhavan, Bailey Road, Patna.
4. The Chief General Manager, Bihar State Building Construction Corporation
Ltd, Shastrinagar, Patna.
5. The Ex. Engineer, Building Construction Department, Building Division-
Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mrs. Kumari Pallavi, Advocate
For the Respondent/s	:	Mr. Mahendra Pratap Verma, A.C. to S.C.-20

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 18-01-2024 Having heard the matter for some time, we were of

the opinion that due to the delay in challenging the order, we

cannot invoke the extra ordinary jurisdiction under Article 226.

2. The petitioner admits that there was a document

produced which did not really show the experience of the

petitioner, based on which the impugned order was passed.

3. The impugned order was not challenged at the



proper time and the petitioner’s only contention is that already two years have passed and he may be given some mitigation in so far as the period of three years specified.

4. We are of the opinion that due to the delay in challenging the order we cannot consider the issue under Article 226.

5. However, the petitioner prays that he may be permitted to approach the authority itself for such mitigation on, which we do not express any opinion. However, the petitioner would be at liberty to make an application before the authority which will be considered at the discretion of the authority. The petitioner also submits that in that circumstance, the writ petition, permitted to be withdrawn.

6. The petition stands dismissed as withdrawn.

(K. Vinod Chandran, CJ)

(Rajiv Roy, J)

Neha/Kiran-

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