

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17451 of 2012

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Sadanand Singh Construction Pvt. Ltd. through its Director Sadanand Singh
son of late Medani Singh of Village Dharhara, P.S. Dharhara, District Munger

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Rural Works Department, Vishwesaria Bhawan,
Bailey Road, Patna
3. The Engineer in Chief cum Additional Commissioner cum Special Secretary,
Rural Works Department, Vishwesaria Bhawan, Bailey Road, Patna
4. The Superintending Engineer, Rural Works Department, Rural Work Circle
Piperpati, Munger
5. The Executive Engineer, Rural Works Division, Munger

.... Respondents

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Appearance :

For the Petitioner : Mr. Shiw Kumar Prabhakar
Mr. Uma Shankar Sharma, Advocates

For the Respondents : Mr. Anshuman Singh, AC to Pr. AAG 1

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 23-09-2016

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present writ petition has been filed for quashing the
order contained in Memo No. 1120 dated 16.08.2012 passed by
respondent Executive Engineer, Rural Works Division, Munger
whereby and whereunder respondent authority refused to refund the
royalty amount @ 15 per M3 deducted from the running bill of the
petitioner.

3. Learned counsel for the petitioner submits that the
respondents have arbitrarily refused to refund the royalty amount
which has been illegally deducted from the running bill of the

petitioner. Petitioner, during execution of the work awarded by the respondent authority, arranged earth/soil for earth filling works from the fields of the respective local farmers by taking two feet from the surface of the agricultural lands. It is stated that the petitioner had executed and completed some of the works and in any event, the earth works have already been completed.

4. Without going into the detailed merits of the matter, however, learned counsel for the petitioner requests that he may be permitted to agitate his grievances in the forum of arbitration which is available to him.

5. In view of the aforesaid request of the petitioner, the writ petition stands disposed of with liberty to the petitioner to agitate the issues before the forum of arbitration for redressal of its grievances in accordance with law.

(Vikash Jain, J)

B.T/Ibrar

AFR/NAFR	NAFR
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