

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1436 of 2012

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M/S Sharda Construction, a partnership firm having its office at New Area, Maharajganj Road, Aurangabad, Bihar through its partner Smt. Geeta Singh, Wife of Sri Kaushal Kumar Singh, Resident of New Area, Aurangabad, Bihar.

.... Petitioner/s

Versus

1. The National Project Construction Corporation Ltd., a Government of India Enterprises having its Zonal Office at 15, IAS Colony, 2nd Floor, Kidwaipuri, Patna through its Zonal Manager.
2. The Zonal Manager, National Projects Construction Corporation Ltd., 15, IAS Colony, 2nd Floor, Kidwaipuri, Patna.
3. The Deputy Manager (Construction), Works Section, National Projects Construction Corporation Ltd., 15, IAS Colony, 2nd Floor, Kidwaipuri, Patna.
4. The Assistant Manager (Finance), National Projects Construction Corporation Ltd., 15, IAS Colony, 2nd Floor, Kidwaipuri, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishore Prasad
For the Respondent/s : Mr. Arun Kumar Arun
Mr. Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

4 16-02-2016 Learned counsel for the parties are present and have been heard.

The petitioner prays for issuance of a direction in the nature of mandamus to the respondents for reimbursement of 'labour cess' charged by them at the rate of 1% from the bills of the petitioner on grounds of being without sanction of law.

The issue so raised by the petitioner came up for consideration in a matter arising from CWJC No.325 of 2012 and this Court upon examination of the terms of the agreement

and the law on the issue has concluded in favour of the deductions and has refused the prayer for reimbursement. The judgment and order passed by this Court in CWJC No. 325 of 2012 would apply to the prayer made in the writ petition as well on all fours.

This writ petition is accordingly disposed of in terms of the judgment and order dated 5.11.2015 passed in CWJC No.325 of 2012.

(Jyoti Saran, J)

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