

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Revision No.105 of 2013

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1. The State of Bihar through the Principal Secretary, Reular Works Department, Patna.
 2. The Executive Engineer Rural Works Department, Sasaram.

.... Petitioner/s

Versus

Mr. Shiv Narayan Singh through its partner Sri Shiv Narayan Singh, son of late Ram Krishna Singh, resident of village-Jamuhar, P. S. Dehri, District-Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

8 30-01-2016 Heard Mr. Neeraj Kumar, the learned counsel
appearing on behalf of the petitioners.

The assail in the present revision application under Section 13 of the Bihar Public Works Contract Disputes Arbitration Tribunal Act, 2008 is the part of the award passed by the Tribunal with regard to point nos. 4 and 5 relating to the issue of entitlement of the petitioner-opposite party for refund of security deposit and for refund of deducted amount and time extension.

The learned counsel for the petitioners has placed the findings by the Tribunal on the point nos. 4 and 5 aforesaid and has submitted that the Tribunal has not properly considered the

materials on record and the findings, therefore, are vitiated. No other submission on behalf of the petitioners has been made.

From the perusal of the impugned award and after considering the submissions on behalf of the petitioners, it is manifest that the Tribunal has passed the impugned award holding the petitioners to be entitled to the claim of refund of security deposit for an amount of Rs. 6,56,028/- and Rs. 19,60,000 towards refund of the earnest money. Further, the petitioners has also been held entitled to the payment of the deducted amount of Rs. 3,37,727 towards the time extension. From the findings recorded by the Tribunal, it transpires that after considering the materials on record as well as submissions on behalf of the parties, the Tribunal has come to the conclusion that the petitioner was entitled to the aforesaid reliefs. It does not appear that the findings have been recorded without properly considering the evidence on behalf of the parties. This Court has not been persuaded to find any error of jurisdiction or material irregularity in the findings aforesaid as recorded by the Tribunal.

The revision application is, accordingly, dismissed.

(V. Nath, J)

Devendra/-

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