

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Revision No.58 of 2015

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1. The State Of Bihar through The Secretary , Rural Works Department , "Vishweshwarraiya Bhawan" , Bailey Road, Patna.
 2. The Chief Engineer-I Rural Works Department, Vishwashwariya Bhawan , Bailey Road , Patna.
 3. The Superintending Engineer Rural Works Department Works Circle, Munger.
 4. The Executive Engineer , Rural Works Department , Works Division , Munger.

.... Petitioner/s

Versus

M/s Sadanand Singh Construction Pvt. Ltd. Proprietor Shri Sadanand Singh
Son of Late Medani Singh Resident of Dharhara , Police Station -
Dharahara , District - Munger.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Sharma

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

6 30-06-2017 Heard learned counsel for the petitioners as well as
learned counsel appearing for the opposite party.

The petitioners have challenged the Award dated 09.05.2014 passed in Reference Case No. 8 of 2012 on the ground that the Tribunal has wrongly directed the petitioners to refund the security deposit of Rs. 3,80,000/- with simple interest at the rate of 10% per annum with effect from 22.10.2011 till its realization and also Rs. 6471/-, deducted amount, with interest particularly in the circumstance when the opposite party left the work incomplete without giving any notice to the petitioners.



From perusal of the impugned Award, I find that the opposite party was allotted some work but due to obstruction created by the Nexalities, the opposite party could not complete the work. Furthermore, the Award goes to show that the opposite party gave letters to officials of the concerned department regarding threat given by the Nexalites and non-completion of the work due to obstruction created by the Nexalites but the department did not pay any heed towards the aforesaid request of the opposite party. Therefore, in my view, the learned Tribunal has rightly directed the petitioners to refund the security deposit as well as the deducted amount because the opposite party could not complete the work due to obstruction created by the Nexalities.

On the basis of the aforesaid discussion, I do not find any illegality, irregularity or impropriety in the impugned Award and this civil revision application is accordingly dismissed at the admission stage itself.

(Hemant Kumar Srivastava, J)

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