

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8768 of 2016

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1. Shashi Bhushan Sharma Son of Late Vivekanand Sharma resident of village- Kamalpura, P.O.- Kamalpura, P.S.- Paru, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Urban Development, Government of Bihar, Patna.
2. The Chief Engineer, Department of Urban Development of Government of Bihar, Patna.
3. The Superintending of Engineer, Department of Urban Development of Government of Bihar, Patna.
4. The District Magistrate, Muzaffarpur.
5. The Incharge Senior Deputy Collector, District Urban Development Section/Branch, Muzaffarpur.
6. The Executive Engineer, District Urban Development of Agency, Muzaffarpur.
7. The Divisional Manager, Bihar State Road Transport, Corporation, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dineshwar Prasad Singh
For the BSRTC	:	Mr. P.K. Verma, Sr. Advocate Mr. Mankeshwar Jiwani Prasad
For the State	:	Mr. Alka Verma, AC to SC 17

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 21-03-2017

Heard the parties.

The work order was issued for improvement of Office and Diesel Pump Area in the campus of Bihar Road Transport Corporation, Muzaffarpur for the year 2010-2011. The value of the work was 6,27,592/-.

The claim has been made by the petitioner that certain pay has been made and is entitled to the rest amount of Rs. 1,68,311/- instead of that authority has offered to make payment of Rs.15698/- without



assigning any reason.

From the counter affidavit it appears that petitioner has utilized old bricks in the work. The matter was referred to the Liability Committee where the Liability Committee has arrived to a conclusion that petitioner is only entitled to Rs.15,698/-.

In such situation it will be better for the petitioner to approach before the Bihar Public Works Contracts Dispute Arbitration Tribunal (hereinafter referred to as the Arbitration Tribunal). Petitioner is directed to file an application before the Arbitration Tribunal within four weeks. If such an application is filed the Arbitration Tribunal will be obliged to take decision on merit, condoning the delay, if any.

With the aforesaid observation and direction this writ petition is disposed of.

(Shivaji Pandey, J)

Vinay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.3.2017
Transmission Date	NA

