

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Revision No.206 of 2016**

=====

Anil Singh son of Yogeshwar Singh resident of Village - Mirpur Athamal Gola,  
P.S. Athamal Gola, District - Patna.

.... .... Petitioner

Versus

1. The State of Bihar through the Secretary, Building Construction Department,  
Govt. of Bihar, Vishweshwaraiya Bhawan, Bailey Road, Patna.
2. The Chief Engineer (South Bihar) Building Construction Department,  
Vishweshwaraiya Bhawan, Bailey Road, Patna.
3. The Superintending Engineer, Building Construction Department, South Bihar  
Circle, Punaichak, Patna.
4. The Executive Engineer, Building Construction Department, Central Division,  
near High Court, Patna.

.... .... Opposite Parties.

=====

**Appearance :**

For the Petitioner/s : Mr. Uma Shankar Tiwary

For the Respondent/s : Mr. GP 10- KAMESHWAR PRASAD GUPTA

=====

**CORAM: HONOURABLE MR. JUSTICE V. NATH**

**ORAL JUDGMENT**

**Date: 18-07-2017**

Heard Mr. Uma Shankar Tiwary, learned  
counsel appearing for the petitioner and also Mr. K.P.Gupta,  
learned Government Pleader No-X appearing for the opposite  
parties.

Mr. Tiwary, learned counsel for the petitioner has  
confined his challenge to the impugned award only on the issue of  
rate of interest and the period to which the petitioner is legally  
entitled to claim the interest. It has been submitted by learned  
counsel for the petitioner that this revision application may be  
disposed of in terms of the judgment and order passed by this  
Court on 24.04.2017 in C.R.No.180/2016 wherein also the



identical issue arose for consideration and has been determined.

In response, learned counsel for the opposite parties has expressed his agreement for disposal of this revision application by passing an order in similar line with the order dated 24.04.2017 passed in C.R.No.180/2016.

In view of the stand and the submission on behalf of the petitioner and the opposite parties as above, the present revision application is allowed in terms of the order dated 24.04.2017 passed in C.R.No.180/2016 and the impugned award is quashed, only so far as the same relates to the issue of rate of interest and the period for which the petitioner may be entitled to interest in accordance with law. The matter is remitted back to the Arbitral Tribunal for decision afresh on the aforesaid issues pertaining to interest in accordance with law after granting opportunity to the parties for fresh hearing. It is also clarified that any observation(s) made in the judgment/order dated 24.04.2017 in C.R.No.180/2016 shall not prejudice the case of either of the parties which shall be decided on its own merits in accordance with law.

**(V. Nath, J)**

Nitesh/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

