

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Revision No.41 of 2014

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Md. Moin Son Of Late Md. Ibrabim Proprietor Of Light Motor Works, Sinha
Library Road, P.S- Kotwali, District- Patna (Bihar)

.... Petitioner

Versus

1. The State Of Bihar Through The Chairman, Bihar Sanskrit Shiksha Board,
Boring Canal Road, Patna.
2. The Secretary, Bihar Sanskrit Shiksha Board, Boring Canal Road, Patna.

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. D.Chaubey, Adv.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 31-01-2017

Heard Mr.D. Chaubey, learned counsel appearing
for the petitioner and the learned counsel appearing for the
respondent-Board.

The present application has been filed against the
dismissal of the reference by the Tribunal under Bihar Public Works
Contracts Dispute Arbitration Tribunal Act, 2008. From the facts and
materials on record, it is evincible that the claim made by the
petitioner is not covered by the definition of “Works Contracts” as
given in Section 2(k) of the aforesaid Act. The ambit and scope of
Section 2(k) has been considered by this Court in the case of
*A.B.Grain Spirits Pvt.Ltd. Vs. Bihar Urban Infrastructure
Development Corporation Ltd., 2017 PLJR (1) 147.* The claim of the



petitioner is relating to the repair of the vehicle under the contract with the respondent-Board. Such contract and claim on that basis cannot be the subject matter of a reference by the Tribunal under the aforesaid Act. This Court therefore comes to the conclusion that there is no illegality in the rejection of the claim of the petitioner by the Tribunal.

The revision application is accordingly dismissed with liberty to the petitioner to seek remedies available to him in accordance with law.

(V. Nath, J)

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