

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10504 of 2015

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1. M/s Bharti Construction through its proprietor Binay Kumar Shrivastava son of Anant Prasad Shrivastava, resident of village- Baghi, P.S.- Muffasil, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary-cum-Commissioner, Department of Road Construction, Government of Bihar, Vishveshwariya Bhawan, Bailey Road, Patna.
2. The Engineer in Chief-cum-Additional Commissioner-cum-Special Secretary, Road Construction Department Government of Bihar, Vishveshwariya Bhawan, Bailey Road, Patna.
3. The Superintending Engineer, Road Construction Department, Darbhanga.
4. The Executive Engineer, Road Construction Department, Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anjani Kumar Jha
For the State : Mr. S. k. Giri, GP 9

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 05-07-2017 Heard learned counsel for the petitioner and learned counsel for the State.

In the present writ petition, petitioner is challenging the order dated 15.5.2015 passed by the Bihar Public Works Contracts Dispute Arbitration Tribunal (hereinafter referred to as the Tribunal) by which the Tribunal has refused to entertain the application on the ground of limitation as he has filed the application beyond four weeks.

Petitioner has earlier moved before this Court and this Court directed him to exhaust alternative remedy with a



liberty to file the same within four weeks but instead of four weeks he has filed the same beyond four weeks.

Accordingly the Tribunal is directed to decide the case on its own merit.

Accordingly the order dated 15.5.2015 passed by the Tribunal is set aside and matter is remanded back for fresh decision on its own merit.

With the aforesaid observation this writ petition is disposed of.

(Shivaji Pandey, J)

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