

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.2163 of 2016
IN
Civil Writ Jurisdiction Case No. 8857 of 2016**

- =====
1. The State of Bihar through the Principal Secretary, Rural Works Department, Bihar, Patna.
 2. The Chief Engineer-3, Rural Works Department, Bihar, Patna.(wrongly stated in writ application as the Chief Engineer, Rural Works Department, Gopalganj-2, Gopalganj and thus so typed in the impugned order)
 3. The Executive Engineer, Rural Works Department, Works Division, Gopalganj-2, Gopalganj.
 4. The Superintending Engineer, Rural Works Department, Works Circle, Siwan.

.... Appellant/s

Versus

M/s Sarthak Enterprises, a partnership firm registered under the provisions of the Indian Partnership Act having its registered office at Sareya, Ward NO.13, Gopalganj, Bihar, through one of its partner namely Sri Kumar Vansh Giri, son of late Deodahri Giri.

.... Respondent/s

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Appearance :

For the Appellant/s : AAG-10

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 21-12-2017

Delay of 66 days is condoned. I.A. No.9100 of 2016 is allowed. Matter is thereafter taken up on the merit.

Heard learned AAG-10 representing the appellants-State.

Perused the order dated 12.08.2016.

Since the learned Single Judge has decided and allowed the writ application keeping in mind the similar decisions and



directions which have been acted upon by the State in the case of M/S R.R. Company Vs. the State of Bihar (CWJC No.8869 of 2016 and other analogous cases) as well as the case of Sona Engicon Pvt. Ltd. (CWJC No.4907 of 2016) there is no infirmity in the direction keeping in mind that there has to be consistency in decision making by a court of law.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Arvind/-

AFR/NAFR	
CAV DATE	
Uploading Date	23.12.2017
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