

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Revision No.52 of 2014

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1. The State Of Bihar Through The Principal Secretary, Water Resources Department, 'Sinchai Bhawan', Harding Road, Patna
2. The Chief Engineer, Water Resources Department, Aurangabad
3. The Superintending Engineer, Water Resources Department, North Koel Canal Circle, Gaya
4. The Executive Engineer, Water Resources Department, North Koel Canal Division Madanpur Camp, Aurangabad Petitioners

Versus

M/S B.K. Singh & Company, Through Its Managing Partner, Shri Birendra Kumar Singh, Son Of Late Ranjeet Singh Resident Of Nawadih Road, Police Station-Town Thana, District- Aurangabad Respondent

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Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Sharma
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 08-02-2017

Heard Mr. Binod Kumar, learned counsel
appearing for the petitioners and Mr.J.S.Arora, learned senior counsel
appearing for the opposite party.

The present revision application has been filed
under Section 13 of the Bihar Public Works Contracts Disputes
Arbitration Tribunal Act, 2008 challenging the impugned award by
which the petitioners have been held entitled to the amount of Rs.
17,14,393/- towards escalated amount alongwith simple interest at the
rate of 10% over the said amount and the amount of Rs. 10% simple
interest on the aforesaid amount with effect from 08.03.2007 till
realization.

After considering the submissions on behalf of



the petitioners, it transpires that the main objection on behalf of the petitioners pertained to the delay in completion of the work by the opposite parties. However, from the perusal of the order passed by this Court in CWJC No. 8798/2008 (Annexure-5) it transpires from the order dated 17.09.2008 that this court has come to the conclusion that the delay in completion of the work in question occurred due to the reasons attributable directly to the State-Petitioners. The Tribunal has recorded its findings after elaborate consideration of the submissions of the parties and evidence on record. It is not the case of the petitioners that the findings by the Tribunal have stemmed out of non-consideration of evidence or are dehores the settled principles of law rather the entire submissions has centered around reconsideration of facts and evidence. This Court finds that the Tribunal has committed no error of jurisdiction or material irregularity in passing the impugned award requiring interference under Section 13 of the Bihar Public Works Contracts Disputes Arbitration Tribunal Act, 2008.

The revision application is accordingly dismissed.

(V. Nath, J)

Nitesh/-

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