IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5891 of 2017

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M/s U. B. Engineering Ltd. and M/s A2Z Maintenance & Engineering Service Ltd., a Joint Venture Company having its Registered Office at 0-116, first floor, Shopping Mall, DLF City, Phase-I, Gurgaon- 122002, Haryana, through its Senior Manager(Projects) Shri Manish Kumar Singh S/o Shri Rajendra Prasad Singh Resident of Village- Sanathua, P.O. Jogia, P.S. Risiup, District- Aurangabad, Bihar.

.... Petitioner

Versus

1. Bihar State Power Holding Company Ltd. through its Chairman cum Managing Director Ist Floor, Vidyut Bhawan, Bailey Road, Patna- 800001
2. Chairman-cum-Managing Director, Bihar State Power Holding Company Ltd, Ist Floor, Vidyut Bhawan, Bailey Road, Patna- 800001
3. Bihar State Power Transmission Company Ltd. through its Chairman cum Managing Director Ist Floor, Vidyut Bhawan, Bailey Road, Patna- 800001
4. Managing Director, Bihar State Power Transmission Company Ltd., Vidyut Bhawan, Bailey Road, Patna- 800001
5. Chief Engineer(Transmission), Bihar State Power Transmission Company Ltd, Vidyut Bhawan, Bailey Road, Patna- 800001

.... Respondents

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Appearance :
For the Petitioner : Mr. Shakib Ayaz
Mr. Ankit Katriar, Advocates
For the Respondents : Mr. Vinay Kirti Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT
Date: 30-11-2017

The present writ petition has been filed for quashing the order dated 02.05.2016, communicated to the petitioner vide letter no. 2599 dated 03.05.2016, issued by respondent no. 4 in pursuance to this Hon'ble Court's order dated 22.02.2016 passed in CWJC No. 5529 of 2014, whereby and wherein the petitioner's claim has been summarily rejected in a mechanical fashion and without evaluating the claims of the petitioner in the correct perspective; and for connected reliefs.

2. At the very outset, learned counsel for the petitioner

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fairly accepts that against the impugned order dated 02.05.2016, the forum of Bihar Public Works Contracts Disputes Arbitration Tribunal is available for redressal of its grievances.

3. Having regard to the above, the writ petition stands dismissed with liberty to the petitioner to approach the Bihar Public Works Contracts Disputes Arbitration Tribunal challenging the impugned order.

4. It is made clear that in case such a petition is filed, the concerned authority would have regard to the present proceeding being pursued by the petitioner, while considering any issue relating to condonation of delay, if applicable.

5. It is made clear that this Court is not expressing any opinion on the merits of the claim of the petitioner.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	05.12.2017
Transmission Date	N.A.

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