

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10639 of 2017

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M/s. Tara Rajat Enclave Pvt. Ltd. Madhopur, Maner, Patna through its Chairman-cum-Managing Director namely Trilok Prasad, S/o Sh. Balram Prasad, R/o Village- Madhopur, P.S.- Maner, District- Patna.

.... Petitioner

Versus

1. The Bihar State Educational Infrastructure Development Corporation Ltd., Shiksha Bhawan, Bihar Rashtrabhasha Parishad Campus, Acharya Shivpujan Sahay Path, Saidpur, Patna through its Managing Director.
2. The Managing Director, Bihar State Educational Infrastructure Development Corporation Ltd., Shiksha Bhawan, Bihar Rashtrabhasha Parishad Campus, Acharya Shivpujan Sahay Path, Saidpur, Patna.
3. The Chief Consultant (Technical), Bihar State Educational Infrastructure Development Corporation Ltd., Shiksha Bhawan, Bihar Rashtrabhasha Parishad Campus, Acharya Shivpujan Sahay Path, Saidpur, Patna.
4. The Chief Engineer, Bihar State Educational Infrastructure Development Corporation Ltd., Shiksha Bhawan, Bihar Rashtrabhasha Parishad Campus, Acharya Shivpujan Sahay Path, Saidpur, Patna.
5. The Superintending Engineer, Bihar State Educational Infrastructure Development Corporation Ltd., Shiksha Bhawan, Bihar Rashtrabhasha Parishad Campus, Acharya Shivpujan Sahay Path, Saidpur, Patna.
6. The Executive Engineer, Incharge Project (Patna West), Bihar State Educational Infrastructure Development Corporation Ltd., Shiksha Bhawan, Bihar Rashtrabhasha Parishad Campus, Acharya Shivpujan Sahay Path, Saidpur, Patna.
7. The Assistant Engineer, Buxar, Bihar State Educational Infrastructure Development Corporation Ltd., Shiksha Bhawan, Bihar Rashtrabhasha Parishad Campus, Acharya Shivpujan Sahay Path, Saidpur, Patna.
8. The Junior Engineer, Buxar, Bihar State Educational Infrastructure Development Corporation Ltd., Shiksha Bhawan, Bihar Rashtrabhasha Parishad Campus, Acharya Shivpujan Sahay Path, Saidpur, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Bishnu Kant Dubey, Advocate.

For the Respondents : Mr. Girijish Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 13-04-2018

The present writ petition has been filed for a direction to the respondent no. 2 to make payment of dues amount alongwith interest statutory as also penal interest arising from construction



work amounting Rs. 59,05,965/-, Royalty amounting Rs. 8,78,312/-, Security deposit amount amounting Rs. 37,12,175/-, time extension amount amounting Rs. 6,00,509/-, extra lead amount amounting Rs. 32,37,538/-, Extra VAT deducted amount amounting Rs. 8,30,000/- as also damage amount and expenditure amount of tools, machines hired charge amounting Rs. 20,39,875/- against the works executed by the petitioner.

2. Learned counsel for the respondents appears and has been heard.

3. Having regard to the nature of grievance, the writ petition stands dismissed with liberty to the petitioner to approach the Bihar Public Works Contracts Disputes Arbitration Tribunal for redressal of its grievances.

4. It is made clear that in case such an appeal 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)

Md. Ibrarul/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	24.04.2018
Transmission Date	N.A.

