

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2176 of 2017

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M/s B. K. Construction through its Proprietor Sri B.K. Pandit Son of Shri Gadu Lal Pandit, near Gas Godown, Ward No.17, N.H. 57, Post Office + Police Station-Araria, District-Araria (Bihar)

.... Petitioner

Versus

1. Power Grid Corporation of India Limited, (A Government of India Enterprises) through the Managing Director.
2. The Managing Director, Power Grid Corporation of India Limited Corporate, Centre, Saudamini, Plot No.2, Sector-29, Gurgaon-122 111, Haryana.
3. The General Manger (D.M.S. /ST), Patna
4. The A.G.M. (RE/ST) Patna
5. The DY. Manager (Vigilance), Patna
6. The Dy. Gen. Manager, Eastern Region, Transmission System, Power Grid Corporation Limited, N.H. 31, Maranga Post, Lalganj, District-Purnea.
7. The C.M. (RE)/ Purnea
8. The D.G.M., Project, Subhash Projects and Marketing Limited, 22, Camac Street, Block-A, 3rd Floor Kolkara-700017
9. The Project Manager, M/S SPML Infra Limited, Purnea Office, Purnea

.... Respondents

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Appearance :

For the Petitioner : Mr. Rajendra Lal Das, Advocate

For the Respondents : Mr. Janardan Prasad Singh, Sr. Advocate
Mr. Arbind Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 09-02-2018

Heard learned counsel for the petitioner as well as learned counsel for the respondents.

2. The present writ petition has been filed for payment of admitted dues of about Rs. 50,00,000/- pursuant to the tender agreement.

3. At the very outset, this Court takes note that the petitioner is a sub-contractor of the private respondent nos. 8 and 9, the latter having entered into the agreement with the Power Grid



Corporation of India Limited (respondent no. 1) and there is no privity of contract between the petitioner and respondent nos. 8 and 9.

4. In that view of the matter, the relief sought by the petitioner is against the private respondent nos. 8 and 9 and not against the State and as such, the present writ petition cannot be maintained. The writ petition is accordingly dismissed.

5. Needless to say, the petitioner is always at liberty to seek recourse to any remedy as may be available to it in accordance with law.

(Vikash Jain, J)

B.T/Chandran

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

