

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9846 of 2016

=====

Md. Moid Khan son of Md. Majobur Rahman Khan Resident of Mohalla-
Rahmania Tola, P.O. Mehsaul, P.S. Sitamarhi, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Building Construction Department, Government of Bihar, Patna.
2. The Engineer-in-Chief-cum-Additional Secretary-cum-Special Secretary, Building Construction Department, Government of Bihar, Patna.
3. The District Magistrate, Sitamarhi, District- Sitamarhi.
4. The Superintendent Engineer, Building Construction Department, Building Circle, Muzaffarpur.
5. The Executive Engineer, Building Construction Department, Building Division, Sitamarhi.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Respondent/s : Mr. Nadeem Seraj, GP-20

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-11-2018 The present writ petition pertains to payment of admitted outstanding amount of Rs. 8.22 lakhs approximately against the work done by the petitioner for the purposes of renovation of certain portion of the main building of the Collectorate, Sitamarhi for the year 2014-15 under Agreement No. 99F2/2014-15.

The learned counsel for the respondents has referred to the counter affidavit filed by the respondents and submitted that the claim of the petitioner has been rejected by the respondent no. 5.

Having regard to the facts and circumstances of the



case, since the present writ petition involves disputed question of facts, the present writ petition is not maintainable and the remedy of the petitioner lies before the Bihar Public Works Contract Disputes Arbitration Tribunal, Patna.

For the reasons mentioned herein above, the present writ petition is disposed of as withdrawn with liberty to the petitioner to approach the Bihar Public Works Contract Disputes Arbitration Tribunal, Patna and in case a reference is preferred before the said tribunal within a period of six weeks from today, the tribunal would adjudicate the matter on merits.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

