

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11814 of 2013

=====

M/S K.D.R. Construction Pvt. Ltd. through its M.D. Shri Kashi Nath Mishra S/O -
Late Ram Rup Mishra Village - Atarwalia, P.O. - Kathej, P.S. - Mohinia, District -
Kaimur, Bhabhua

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary Water Resource Department
Patna
2. The Engineer in Chief (Middle) Water Resource Department, Patna
3. The Chief Engineer Water Resource Department, Dihri, Rohtas
4. The Superintending Engineer Water Ways Circle Bhabhua District - Kaimur
5. The Executive Engineer Water Ways Division Mohania District - Kaimur

.... Respondents

=====

Appearance :

For the Petitioner : Mr. Radhamohan Pathak, Advocate.

For the Respondents : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 08-08-2018

The present writ petition has been filed for the
following reliefs –

*“1. For issuance of an appropriate writ/order/direction
quashing the order dated 19.03.2013 passed by respondent
no. 2 vide which the petitioner has been blacklisted.*

*1/A. That the petitioner further prays for issuance of an
appropriate writ/order/direction upon respondents to
return Rs. 5,82,463/- with interest as it has been recovered
from the petitioner illegally.*

*1/B. That the petitioner further prays for issuance of an
appropriate writ/order/direction to which he is found
entitled to.”*



2. At the very outset, learned counsel for the petitioner accepts that the remedy by way of Arbitration by approaching the Bihar Public Works Contracts Disputes Arbitration Tribunal is available for redressal of its grievances raised herein.

3. In the above circumstances, the present writ petition is disposed of 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.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	09.08.2018
Transmission Date	N.A.

