

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6031 of 2015

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Abhinav Singh, S/O Late Deo Nandan Singh, resident of Village- Tankbar,
P.S.- Maigra, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Government of Bihar, Rural Works Department, Bisheshwaraiya Bhawan, Bailey Road, Patna.
2. The Chief Engineer, Rural Works Department, Bisheshwarariya Bhawan, Bailey Road, Patna.
3. The Superintending Engineer, Rural Works Department, Works Division, Gaya, District- Gaya.
4. The Executive Engineer, Rural Works Department, Works Division, Gaya, District-Gaya.
5. The District Magistrate, Gaya, District- Gaya
6. The Superintendent of Police, Gaya, District- Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Respondent/s : Mr. Aditya Nath Jha, AC to SC 18

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 17-12-2018

The present writ petition has been filed for quashing the order dated 06.05.2014 passed by the Executive Engineer, Rural Works Department, Works Division, Gaya, District Gaya vide memo no. 838 whereby and whereunder the package no. BR-12R-002 and agreement no. 33(PMGSY)/2009-10 has been cancelled; and for connected reliefs.

2. Learned counsel for the respondents at the very outset submits that the petitioner has not availed the alternative remedy before the Bihar Public Works Contracts Disputes Arbitration Tribunal and has directly approached this Court for redressal of his grievances.



3. Learned counsel for the petitioner appears and has been heard. It is not disputed that remedy by way of arbitration before the Tribunal is available to the petitioner and admitted by the petitioner.

4. In view of the submission of learned counsel for the respondents, this Court is not inclined to interfere in the matter. The petitioner would be at liberty to avail of the remedy before the Bihar Public Works Contracts Disputes Arbitration Tribunal for redressal of his grievances, in accordance with law.

5. The writ petition accordingly stands disposed.

6. It is made clear that in case such an application 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)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
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