

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16639 of 2017

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Krishna Prasad and Company through its Partner Eklavya Kumar, Son of Raj Ballabh Prasad, Office and Resident of Village Pathara English, P.O.- Orhanpur, P.S.- Mufassil, Nawada, District- Nawada.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Patna.
2. The Principal Secretary, Road Construction Department, Govt. of Bihar, Patna.
3. The Engineer in Chief, National Highways Wing, Road Construction Department, Bihar, Patna.
4. The Chief Engineer, National Highways Wing, Road Construction Department, Patna.
5. The Superintending Engineer, National Highway Circle, Dehri-on-Sone (Rohtas).
6. The Executive Engineer, National Highway Division, Dehri-on-Sone (Gaya), District- Rohtas.

.... Respondents

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Appearance :

For the Petitioner : Mr. Gopal Bohra,
Mr. Kumar Satyanand , Advocates
For the Respondents : Mr. U.B.Singh, AC to GP19

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 26-03-2018

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

- “(i) For issuance of appropriate writ, order or direction for transfer of the Ref. Case No. 14/2013 to competent court for execution of award dated 30.03.2016 passed in Ref. Case no. 14/2013 by Bihar Public Works Contract Disputes Arbitration Tribunal; and*
- (ii) Further for issuance of a writ of mandamus or any other appropriate writ, order or direction commanding upon the respondents to pay the petitioner arbitral award amount of Rs. 19,64,241/- deducted towards*



time extension along with 10% simple interest per annum from 01.12.2013 till realization; and

(iii) Further for issuance of a writ of mandamus or any other appropriate writ, order or direction commanding upon the respondents to pay the petitioner arbitral award amount of Rs. 3,44,583/- deducted as penalty along with 10% simple interest per annum from 01.12.2013 till realization; and

(iv) Further for issuance of a writ or mandamus or any other appropriate writ, order or direction coming upon the respondents to pay the petitioner arbitral award amount of Rs. 8,37,000/- deposited at the time of agreement in the shape of NSC; and

(v) Further for issuance of a writ of mandamus or any other appropriate writ, order or direction commanding upon the respondents to pay the petitioner the cost incurred by him in getting award i.e. Rs. 26,862/- alongwith suitable interest from the date of passing a award i.e. from 30.03.2016 till realization; and

(vi) For any other relief/reliefs for which the petitioner would be found entitled under the facts and circumstances of the case.”

2. Mr. Gopal Bohra, learned counsel for the petitioner, seeks permission to withdraw the present writ petition with liberty to approach the authority concerned for redressal of its grievances.

3. As prayed, the writ petition is permitted to be withdrawn and dismissed as such.



B.T/Ibrar

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	29.03.2018
Transmission Date	N.A.

