

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2301 of 2018

=====

M/s. Shri Laxmipati Balajee Construction, a Partnership firm constituted under the Indian Partnership Act, having its office at MIG 290, Kankarbagh Patna- 800008, through its working partner, Anup Kumar.

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate-cum-Collector, Patna.
2. Superintendent Engineer, Rural Works Department, Works Division, Masaurhi, Patna.
3. The Executive Engineer, Rural Works Department, Works Division, Masaurhi, Patna.
4. The Assistant Engineer, Rural Works Department, Works Division, Masaurhi, Patna.
5. The Certificate Officer cum District Panchayat Raj Officer, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Respondent/s : Mr. Archana Meenakshee- GP6

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL JUDGMENT

Date: 29-10-2018

1. The learned counsel for the petitioner submits that the petitioner has already approached the Bihar Public Works Contract Dispute Arbitral Tribunal, Patna by filing a case bearing Request case no. 50 of 2018 and the certificate proceedings which have been challenged in the present case, also arise out of the same agreement out of which the arbitral proceedings arises, hence it is prayed that the certificate proceedings be stayed till the final outcome of the arbitral proceedings.



2. Having regard to the facts and circumstances of the case, the further proceedings of the Certificate case no. 138 of 2015-16 pending before the Certificate Officer, Mashurhi is directed to be kept in abeyance till the disposal of the aforesaid Request case no. 50 of 2018 pending before the Bihar Public Works Contract Dispute Arbitral Tribunal, Patna.
3. The writ petition is disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

rinkee/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.10.2018
Transmission Date	NA

