

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Revision No.127 of 2014

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1. The State of Bihar through the Secretary Building Construction Department, Vishweshwarraiya Bhawan, Bailey Road, Patna
 2. The Engineer-in-Chief, Building Construction Department, Vishweshwarraiya Bhawan, Bailey Road, Patna
 3. The Chief Engineer (South), Building Construction Department, Vishweshwarraiya Bhawan, Bailey Road, Patna
 4. The Superintending Engineer, Building Construction Department, South Bihar Circle, Punaichak, Patna
 5. The Executive Engineer, Building Construction Department, Building Construction Division No. 1, Patna

... .. Petitioner/s

Versus

M/s H.P. Biswas & Company, proprietor – Shri Alok Kumar Biswash, son of Late H.P. Biswash, resident of Ajanta Para Hirapur, Post Office- Dhanbad, Jharkhand

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. K.P. Gupta, GP-X Mr. Binod Kumar, AC to GP-X
For the Respondent/s	:	Mr. Ram Ishwar Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 08-02-2019

Heard learned counsel for the parties.

2. The State of Bihar through the Secretary, Building Construction Department, Patna has challenged the award dated 22.02.2013 made in Reference Case No. 112 of 2010 by Bihar Public Works Contracts Disputes Arbitration Tribunal under the provisions of Bihar Public Works Contracts Disputes Arbitration Tribunal Act, 2008.

3. This revision application has been preferred under Section 13 of the aforesaid Act.

4. Learned counsel for the opposite party submits



that the dispute between the parties arose out of a written agreement whereunder the opposite party was to make construction of the Judicial Academy Building at Patna. The dispute was referred to the Tribunal and the Tribunal passed the award in favour of opposite party giving relief mentioned in the last paragraph of the impugned award.

5. Thereafter, opposite party filed Execution Case No. 04 of 2013 before the learned Sub-Judge-I, Patna for execution of the said award.

6. The petitioners herein honoured the award by making payment of entire awarded amount by cheque dated 21.11.2013 and 24.11.2013 and opposite party has received the cheques from the Execution Court.

7. Contention of opposite party is that this Court need not in exercise of supervisory jurisdiction entertain this revision application which was brought after satisfaction of the award.

8. Learned counsel for the petitioners submits that he has no instruction whether the State has made any payment to the opposite party in the execution proceeding.

9. Considering the submission of learned counsel for opposite party and the fact that the impugned award has



already been honoured by the petitioners, this revision application is dismissed as infructuous.

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	12.02.2019
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