

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8367 of 2022

R. K. Construction, a Proprietary Concern having its Office at Shankar Colony, Ashiyana Nagar, Patna 800025 P.O. and P.S. Ashiyana Nagar, District-Patna through its Proprietor, Ganesh Kumar, Son of Shri Devnanadan Singh, resident of Road, NO.2 Ashiyana Nagar, P.O. and P.S. Ashiyana Nagar, District-Patna.

... .. Petitioner/s

Versus

1. South Bihar Power Distribution Company Ltd., through the Managing Director having its Office at Vidyut Bhawan, Bailey Road, Patna.
2. General Manager Cum Chief Engineer Electrical Supply Area, Patna 800001, Central, having its Office at 8 Serpentine Road, Patna.
3. Dy. Genral Manager Cum Chief Engineer Electrical Supply Area, Patna 800001, Central, having its Office at 8 Serpentine Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sadashiv Tiwari, Adv
For the SBPDCL	:	Mr.Vinay Kirti Singh, Sr. Adv
		Mr. Vijay Kumar Verma,Adv
		Mr. Akhileshwar Singh, Adv

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 28-07-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-



- i) the respondent no.1 be directed to pay the admitted dues amounting to ₹14,68,089 on account of construction of 33/11 K (1x 5 MVA) Power Sub-station at Gidha under Koilwar Block under State Plan head in terms of the allotment of work under CESA/Work/Gidha/2012 - 13/473/Patna dated 23.01.2013 completed to the satisfaction of the respondents within the time frame.

After the matter was heard for some time, finding the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioner, more so in view of the disputed question of fact, fairly states that petitioner be permitted to take recourse to such equally, efficacious alternative remedies as are available in accordance with law.

Permission granted.

Petition stands disposed of in the aforesaid terms.

We clarify that we have not adjudicated the dispute on merits. All questions of fact and law are left open to be agitated and adjudicated before the appropriate forum in appropriate



proceedings.

Petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.08.2022
Transmission Date	NA

