

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2176 of 2023

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Amit Kumar Singh S/o Sri Dhurandhar Prasad Singh, R/o Rahul Nagar
Brahampura, P.S.- Brahampura, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Building Construction Department, Bihar, Patna.
2. The Engineer in Chief, Building Construction Department, Bihar, Patna.
3. The Chief Engineer (North) Building Construction Department, Bihar, Patna.
4. The Superintending Engineer, Building Circle, Muzaffarpur.
5. The Executive Engineer, Building Division, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Raju Kumar, Advocate Mr. Abhash, Advocate
For the State	:	Mr. Rakesh Ranjan, AC to GP 22

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

- 2 29-03-2023 1. The petitioner, by way of this writ petition, has prayed that the work has been completed and there are dues of the petitioner which are yet to be paid by the respondents. In the writ petition, the amount of Rs. 18,12,981/- has been claimed. However, this Court finds that in none of the representations, the petitioner has mentioned about the amount which is due as against the respondents. If the petitioner has calculated some amount as dues, the same would have to be examined by a competent Civil Court.



2. In view of the provisions of the **Commercial Court Act, 2015**, the remedy lies for claiming the said amount to the Commercial Court.

3. The petitioner having an alternate efficacious remedy available in law, the writ petition would not be maintainable and is, accordingly, dismissed with the aforesaid liberty.

(Sanjeev Prakash Sharma, J)

Sachin/-
Item No. 5

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