

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17500 of 2013

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M/s Saj Enterprises At Present Resident Of S-401, Uday Giri Apartment,
Buddha Marg, P.S. Kotwali, Distt. Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Engineer-In-Chief, Cum Commissioner Cum Special Secretary, Road Construction Deptt., Bihar, Patna
3. The Chief Engineer Wa, North Bihar Zone, Road Construction Deptt. Darbhanga At Patna
4. The Superintending Engineer, Road Construction Deptt., North Bihar Circle, Muzaffarpur
5. The Executive Engineer, R.C.D., Road Division No.- 2, Muzaffarpur
6. The Managing Director, Bihar Rajya Pool Nirman Ltd., Mangle Road, Patna, Bihar
7. The Senior Project Manager, Bihar Rajya Pool Nirman Nigam Ltd. Road Division, Daroga Rai Path, Patna, Bihar

... .. Respondent/s

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Appearance:

For the Petitioner/s	:	Mr. Suresh Pd Singh No.1
For Pool Nigam	:	Mr. Vikash Kumar, Adv.
For the Respondent/s	:	Mr. Neeraj Nandan

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

14 31-08-2023 1. Learned counsel for the petitioner has stated that even though, the petitioner has completed the works way back in the year 2011, pursuant to the agreement entered between the petitioner and the respondents herein, the amounts due to the petitioner have not been paid till date. Thereafter, the petitioner has given several representations to the authorities but there was no response from the same. Therefore, the petitioner has approached this Hon'ble Court and prayed this Hon'ble Court to



allow the present writ petition.

2. *Per contra*, the learned counsel for the respondents has stated that as per the supplementary agreement entered between the petitioner and the Respondent No. 06 i.e., the Managing Director, Bihar Rajya Pool Nirman Nigam Ltd. (BRPNNL) if any dispute arises with regard to the works contract or bill amounts payable to the petitioner, the remedy open to the petitioner is to approach the Arbitration Tribunal under the provisions made under the Bihar Works Contracts Arbitration Tribunal Act, 2008.

3. Having regard to the same, the petitioner is directed to approach the Tribunal constituted under the Bihar Works Contracts Arbitration Tribunal Act, 2008 within a period of four weeks from the date of receipt of the copy of this order. If any such dispute is raised by the petitioner, the same shall be dealt with in accordance with law and necessary orders passed. As the petitioner has spent considerable time in pursuing the CWJC in this Hon'ble Court, the limitation aspect will not be raised by the opposite party. It is needless to state that the opposite party will be given an opportunity of filing their counter-affidavits. The authority concerned shall pass a reasoned order duly taking into account the grounds raised by the petitioner and giving all



the parties an opportunity of hearing. The entire exercise shall be completed as expeditiously as possible preferably within a period of four months thereof.

4. With the above direction, the present writ petition is disposed off.

(A. Abhishek Reddy, J)

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