

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2265 of 2023

Raj Printing Press through its Owner Raj Kumar, aged about-57 years,
Gender- Male, Son of Late Bhubneshwar Prasad, resident of Mohalla- Prasad
Bigha, P.S. and District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through Director, Bihar State Health Society Department,
Health Department, Government of Bihar, Patna.
2. The District Magistrate and Collector, Nawada.
3. The Civil Surgeon-Cum-Secretary, District Health Society, Nawada.
4. The District Malaria Officer, Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Sinha, Adv. With Mr. Bhola Kumar, Adv. With Mr. Ashish Sinha, Adv. With Mr. Ravi Shankar, Adv.
For the State	:	Mr. Binod Kr. Yadav (Sc18) with Mr. Aditya Nath Jha, AC to SC-18

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 23-03-2023

1. Heard the parties.

2. Learned counsel for the petitioner submits that
there are certain admitted dues as against the respondents, which
they have not released.

3. This Court had earlier allowed the petitioner to
withdraw his writ petition with liberty to pursue the matter
before the appropriate forum in **C.W.J.C. No. 19540 of 2013**
Raj Printing Press through its Owner Raj Kumar, Nawada
Vs. The State of Bihar & Ors.), vide order dated 25th June,
2014. The petitioner thereafter approached the forum of Bihar



Public Works Contract Disputes Arbitration Tribunal, who has rejected the reference as not maintainable. The writ petition has been preferred afresh before this Court.

4. The Commercial Courts Act, 2015 came into force w.e.f. 21.08.2018 and Commercial Courts have already been established. As per definition of Commercial Disputes provided under the Act of 2015, the dispute being raised by the petitioner for claiming his dues under the works contract, are within the jurisdiction of the Commercial Court. The petitioner has wrongfully preferred this writ petition again before this Court in spite of earlier directions.

5. Accordingly, the writ petition is dismissed with the aforesaid liberty.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No. 24

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