

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.617 of 2025**

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Amarpur Construction Co. Pvt. Ltd. a registered company having its place of business at Amarpur, P.S.- Amarpur, District- Banka through one of its Director namely Santosh Kumar Kanodia male about 37 years Son of Sahdeo Kanodia, Resident of Village- Amarpur, P.O. and P.S- Amarpur, Town and District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Department of Rural Works, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Rural Works, Govt. of Bihar, Patna.
3. The Engineer in Chief, Department of Rural Works, Govt. of Bihar, Patna.
4. The Chief Engineer-2, Department of Rural Works, Govt. of Bihar, Patna.
5. The Superintending Engineer, Department of Rural Works, Purnea Circle, Purnea.
6. The Executive Engineer, Rural Works Division, Katihar,
7. The Assistant Engineer, Rural Works Department Korha Sub-Division, Katihar.
8. The Junior Engineer, Rural Works Department, Korha Sub-Division, Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Gautam Kumar Kejriwal, Advocate Mr. Alok Kumar Jha, Advocate Mr. Mukund Kumar, Advocate Mr. Aditya Raman, Advocate Mr. Akash Kumar, Advocate
For the Respondent/s	:	Mr. Saurav Kumar, AC to GA-5

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT**

Date : 17-06-2025

The record taken up on mentioning being made on behalf of the petitioner.

2. Heard learned counsel for the petitioner as well as learned counsel for the State respondents.

3. Learned counsel for the petitioner submits that the petitioner has approached this Court for expeditious disposal of



Execution Case No. 312/2019 pending before the court of learned Civil Judge (Senior Division)-1st, Civil Court, Patna along with Misc. (Arbitration) Case No. 169 of 2019/Misc. (Arbitration) Case No. 24 of 2019 pending before the same court. The learned counsel further submits that an arbitral award has been passed in favour of the petitioner vide award dated 25.05.2019 by the Arbitral Tribunal, still even after passage of six years, the award has not been executed. The learned counsel refers to the decisions of the Hon'ble Supreme Court in the cases of *Rahul S. Shah vs. Jinendra Kumar Gandhi & Ors.* reported in (2021) 6 SCC 418, *Bhoj Raj Garg vs. Goyal Education and Welfare Society & Ors.* [SLP (Civil) No.19654/2022] and *Ajit Singh (deceased) through LRs. & Ors. vs. Padma Bhandari (deceased) through LRs. & Orders* [SLP (Civil) No. 949/2022] to stress the point that the execution cases are to be disposed of in a time bound manner and in *Rahul S. Shah* (supra), the Hon'ble Supreme Court has specifically provided for time frame for disposal of execution cases and has directed that the executing court must dispose of the execution proceedings within six months from the date of filing, which may be extended only by recording reasons in writing for such delay. The learned counsel further submits that



the order-sheets of the learned executing court have been annexed, which show that the adjournments are being given in a routine manner without assigning any reasons. Thus, learned counsel submits that the learned executing court may be directed to dispose of the Execution Case No. 312/2019 as well as Misc. (Arbitration) Case No.169 of 2019/ Misc. (Arbitration) Case No. 24 of 2022 in a time bound manner and in terms of directions of the Hon'ble Supreme Court in the cases cited supra.

4. The learned counsel appearing on behalf of the State respondents has no objection for disposal of the matter in a time bound manner.

5. Having regard to the facts and circumstances and submission made on behalf of the parties, learned executing court, i.e, Civil Judge (Senior Division)-1st, Civil Court, Patna is directed to take up the Execution Case No. 312/2019 in all earnest and try to dispose of it at the earliest in terms of the guidelines issued by the Hon'ble Supreme Court in the cases of ***Rahul S. Shah*** (*supra*), ***Bhoj Raj Garg*** (*supra*) and ***Ajit Singh*** (*supra*).

6. At the same time, learned Civil Judge (Senior Division)-1st, Patna is also directed to take up the Misc.



(Arbitration) Case No. 169 of 2019/Misc. (Arbitration) Case No. 24 of 2022 for its disposal, considering the fact that the said case also arises from the award dated 25.05.2019, at the earliest and preferably within six months from today.

7. With the aforesaid observations/directions, the present petition stands disposed of.

(Arun Kumar Jha, J)

V.K.Pandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.06.2025
Transmission Date	NA

