2026:JHHC:26292

IN THE HIGH COURT OF JHARKHAND, RANCHI

W.P.(C) No. 3286 of 2014

Som Datt Builders (P) Ltd. and Shrinet and Shandilya Construction (P) Ltd. (JV), Ranchi Ring Road Project having Office at Neelanchal Compound, Piska More, Ratu Road, Police Station Sukhdeonagar, Town and District Ranchi, through the Authorized Signatory Sanjay Pratap Singh son of Jagdish Narain Singh, resident of Village Baitalpur, PS Gouri Bazar, District Deoria (Uttar Pradesh) and presently residing at C/o D.L. Shukla, Neelanchal Compound, Piska More, Near Rangoli Sweets, Ratu Road, PO Hesal, PS Sukhdeonagar, Town and District Ranchi …… …. .... Petitioner(s)

-- Versus --

1.The State of Jharkhand, through Deputy Commissioner, Ranchi, having its office at Kutchery Chowk, PO GPO, PS Kotwali, District Ranchi

2.Executive Engineer, Ranchi Ring Road, Road Division, Road Construction Department, Government of Jharkhand having its office at B/111, 56 Set Area, Namkum Road, PO and PS Doranda, District Ranchi… ….. .... Respondents

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CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner(s) :- Mr. Ajay Kumar Sah, Advocate

For the State :- Mr. Ratnesh Kumar, Advocate

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*11/**01.09.2026*** This writ petition has been filed under Article 226 of the

Constitution of India for quashing of the entire certificate proceeding including the order dated 23/24.05.2014 passed by the District Certificate Officer, Ranchi, in Case No.01(Misc) 14-15 whereby notice has been issued under section 7 of Bihar and Orissa Public Demand Recovery Act, 1914.

2. The learned counsel for the petitioner submits that the arbitration proceeding has been concluded in favour of the petitioner and the respondents' counter-claim has been rejected also. He next submits in spite of that, the notice has been issued. He further submits that however against the Award, the respondents have moved before the competent court under section 34 of the Arbitration and Conciliation Act, 1996 and the same was allowed and thereafter the petitioner-herein has filed the appeal before the High Court and that appeal is pending. According to him, there is no demand and in view of that, notice has been illegally issued.

3. Learned counsel for the respondent State submits that only the notice has been issued and the contention raised herein can be agitated by the petitioner after filing the objection to the said notice. He next submits in view of that the writ petition may kindly be disposed of with liberty to the petitioner to file objection and take all the grounds therein.

4. In view of the above and considering that by the impugned order, only the notice has been issued upon the petitioner

and the petitioner has not filed the objection as yet and the contention raised herein can be agitated by way of filing the objection before the District Certificate Officer, Ranchi in Case No.01(Misc) 14-15.

5. Accordingly, this writ petition is disposed of directing the petitioner to file the objection before the District Certificate Officer, Ranchi and take all the grounds therein and the District Certificate Officer, Ranchi will decide the same in accordance with law.

6. This writ petition is allowed in the above terms and disposed of.

(Sanjay Kumar Dwivedi, J.)

Dated : 01.09.2026
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