

Ms Atri Construction Vs. the State of Jharkhand and ors

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Court : Jharkhand

Decided On : Jul-31-2013

Appellant : Ms Atri Construction

Respondent : The State of Jharkhand and ors

Judgement :

IN THE HIGH COURT OF JHARKHAND AT RANCHI W. P. (C) No. 6983 of 2012
--- M/s. Atri Construction ...Petitioner -Versus- The State of Jharkhand & anr.
.....Respondents. --- CORAM : HONBLE MR. JUSTICE APARESH KUMAR
SINGH --- For the Petitioner : M/s. Ananda Sen, V.K.Tiwary, Advs. For the
Respondents : Mr. Anil Kumar, J.C. to A.G.. 02/31.7.2013 The pleadings are
complete in the writ petition. From the submissions made on behalf of the
petitioner and upon hearing the parties, it appears that the work which was allotted
to the petitioner vide Annexure-2 dated 5th October, 2012 for construction of
District Combined Agriculture Building, Sahebganj under NIT issued by the
Executive Engineer, Rural Development Special Division, Sahebganj, has been
cancelled by an order passed on 1st November, 2012 (Annexure-6) by Deputy
Commissioner, Sahebganj. It further appears from Annexure-12 to the amended
writ petition dated 29th November, 2012, issued by the Special Secretary, Rural
Works Department that the Deputy Commissioner, Sahebganj, has been asked to
explain as to how without recommendation of Chief Engineer, Rural Works
Department, the work order issued in favour of the petitioner earlier was cancelled.
Even Chief Engineer of the Rural Works Department in the counter affidavit filed

on 8th May, 2013 vide Annexure-D dated 15th March, 2013 stated that cancellation of the aforesaid work by Deputy Commissioner, Sahebganj was not in accordance with Rules. In such circumstances, since the matter requires some hearing, further execution of the work being done by the respondent no. 5 shall remain stayed. Let the case appear on 9th September, 2013. (Aparesh Kumar Singh, J) jk

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