

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.890 of 2009

IN

Civil Writ Jurisdiction Case No. 16220 of 2008

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1. The Union of India through its Secretary, Ministry of the Railway, New Delhi
 2. The General Manager (G.M.), East Central Railway Zone, (E.C.R.), Hajipur, P.O. & P.S. Hajipur, District Vaishali
 3. The Divisional Railway Manager (DRM), Sonapur, P.O. + P.S. Sonapur, East Central Railway (ECR), Hajipur, District Vaishali
 4. The Divisional Rail Manager (Commercial), Sonapur Rail Division, Sonapur, P.O. + P.S. Sonapur, District Saran (Chapra), East Central Railway (E.C.R.), Hajipur
 5. The Railway Station Master, Khagaria, P.O. + P.S. Khagaria, District Khagaria (Under Jurisdiction of Sonapur Rail Division), E.C.R., Hajipur
 6. The C.C.I., Khagaria Railway Station, P.O.+ P.S. Khagaria, District Khagaria (E.C.R.), Hajipur
 7. S.S.E. (W), Khagaria Railway Station, P.O.+ P.S. Khagaria, District Khagaria (E.C.R.), Hajipur

.... Appellant/s

Versus

M/S Paryavaran And Sarvangin Vikas Sansthan through its Secretary Gauri Shankar Thakur, son of Late Dhrameshwar Nath Thakur, Regd. Officer Arniya, resident of Village Arniya, P.O. + P.S. Jhandaha, District Vaishali

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anil Kumar Sinha, Advocate
Mr. Ankit Katriar, Advocate
For the Respondent/s : Mr. R.K. Giri, Advocate
Mr. S.K. Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE V.N. SINHA)

Date: 20-05-2015

With consent of the appellant and the respondent contractor, we modify the order of the learned Single Judge dated 21.04.2009, passed in C.W.J.C. No. 16220 of 2008 and observe that direction of the learned Single Judge to refund the amount

deposited by the contractor including security deposit will be subject to the award of the Arbitrator before whom the contractor will approach under Clause 64 of the General Condition of Contract.

Appeal is, accordingly, disposed of.

(V.N. Sinha, J.)

(Nilu Agrawal, J.)

Rajesh/-

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