

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6230 of 2009

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M/S Arjundas Naraindas Construction Co., a joint venture firm having its office at 14/441, Binodpur, Katihar 854105 through its authorized representative Sri Gordhanda Khushwani son of Late Harumal

.... Petitioner/s

Versus

1. The Union of India through the Chairman, Railway Board, Rail Bhawan, New Delhi
2. The Chairman, Railway Board, Rail Bhawan, New Delhi
3. Member Engineering, Railway Board, Rail Bhawan, New Delhi
4. Executive Director, Civil Engg.(G), Railway Board, Rail Bhawan, New Delhi
5. The general Manager, East Central Railway, Hajipur, District Hajipur
6. The Chief Administrative Officer (Construction), East Central Railway, Mahendru Ghat, Patna, District Patna
7. The Chief Engineer (Construction)(East), East Central Railway, Mahendru Ghat, District Patna
8. The Deputy Chief Engineer (Construction)/1, East Central Railway, Samastipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.Y.V.Giri, Sr.Advocate
Mr. Raju Giri, Advocate

For the Respondent/s : Mr. Parashuram Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 10-02-2015

Heard the parties.

The petitioner has approached this Court in the present proceeding filed under Article 226 of the Constitution of India assailing the validity and correctness of the order/communication dated 30.04.2009 (Annexure-12) issued by the respondent no.4 whereby the petitioner-company has been banned for dealing in business on Indian Railways and Production Units for a period of three years.

Learned senior counsel appearing on behalf of the petitioner while assailing the validity and correctness of the impugned letter/communication (Annexure-12) has raised various

issues and has pointed out that the operation of the impugned communication/order was directed to be kept in abeyance vide order dated 18.05.2009 passed by a Bench of this Court. However, he has fairly conceded that, now, the period of three years is already over.

Learned counsel appearing on behalf of the respondents has submitted that the period fixed by the impugned letter/communication has not been extended.

In above view of the matter, this Court is of the considered opinion that the present matter has become infructuous as the period of three years is already over.

Consequently, the writ petition stands disposed of as infructuous.

(Birendra Prasad Verma, J)

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