

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19152 of 2010

=====

M/S Nepal Shalimar Cement Pvt. Ltd. an Incorporated Company having its Head Officer At 38, Adarsh Nagar, Birganj, Nepal, through its Director Sri Raj Kumar Baidya, S/O Late Nathmal Baiday, R/O Adarsh Nagar, P.O.+P.S.- Birganj, Nepal

.... Petitioner/s

Versus

1. The Union of India through the Secretary Ministry Of Railway, Govt. of India, New Delhi
2. The General Manager, East Central Railway, Hazipur
3. The Chief Commercial Manager, East Central Railway, Dighi Khurd, B-Block Hazipur
4. The Chief Commercial Manager (Refunds), East Central Railway, Hazipur
5. The Deputy Chief Commercial Manager. FS, East Central Railway, Hazipur
6. The Goods Superintendent, East Central Railway, Raxaul
7. The General Manager, South Eastern Railway, Garden Reach, Kolkata-700043

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Gautam Kejriwal, Advocate
For the Respondent/s : Mr. Bindhyachal Singh, Advocate
Mr.Parijat Saurav, Advocate
Mr.Manish Prakash, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 21-04-2015 After some arguments, learned counsel appearing on behalf of the petitioner seeks permission to withdraw the present writ petition with a liberty to approach the Railway Claims Tribunal, Patna Bench for grant of appropriate relief in the factual matrixes of the case.

Learned counsel appearing on behalf of the respondents does not raise any objection to the aforesaid prayer made on behalf of the petitioner.

In above view of the matter, permission sought for is accorded.

Accordingly, the writ petition stands disposed of as withdrawn with the liberty aforesaid.

If the petitioner files an appropriate petition before the learned Railway Claims Tribunal within a period of one month from today and it is found that the petition filed on behalf of the petitioner has become barred by limitation and if any petition is filed on behalf of the petitioner for condonation of delay, then the delay occurred in filing such petition shall be condoned and the matter shall be considered on its own merit, as on a bona fide legal advice, the petitioner had approached this Court in the present proceeding and the matter remained pending for a quite long time till date.

(Birendra Prasad Verma, J)

Tahir/-

U			
---	--	--	--