

IN THE HIGH COURT OF JUDICATURE AT PATNA

Request Case No.28 of 2016

=====

M/s Yogendra Rai, having office at Nandan Vihar Colony, Mohalla- Mithanpura,
P.O.- Ramna, Distt. Muzaffarpur 842002 through Managing Partner Yogendra Rai

.... Petitioner/s

Versus

1. The General Manager, East Central Railway, Hajipur, P.O. Hajipur, Distt. Vaishali
2. The Deputy Chief Engineer (Con) At & P.O. Raxaul, Distt. East Champaran
3. The F A & CAO, E.C. Railway at & Mahendrughat, P.O. Distt. Patna

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. N.K. Singh, Advocate

For the Respondent/s : Mr. Naresh Dikshit, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 19-04-2017

Having heard learned counsel for the parties, it is seen that the petitioner without taking recourse to the remedy available under Section 64(1) of raising a demand or a claim with the Railway Administration has directly sought recourse to the remedy of appointment of an Arbitrator under Section 64(2) and thereafter filed this application.

Without raising a claim and a demand with regard to the dispute in question first before the Railway Administration, this



application is not maintainable. The same is, therefore, dismissed.

(Rajendra Menon, CJ)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	26.04.2017
Transmission Date	

