

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.499 of 2017

In

LPA 238 of 2016

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M/s Umiya Enterprises, 503, Saboo Complex, Exhibition Road, Patna through its Proprietor Sri Amar Nath Pandey, Son of late Ram Badan Pandey, resident of Vachaspati Nagar, P.O- Mahendru , P.S. Bahadurpur, District- Patna-6.

.... Petitioner

Versus

1. All India Institute of Medical Sciences, Phulwarisharif, Patna, through its Director.
2. The Medical Superintendent, AIIMS, Patna.
3. The Administration Officer (Faculty In-charge), AIIMS, Patna.
4. The Service Monitoring Committee, AIIMS, Patna.
5. M/s Medicine Palace, West Boring Canal Road, Patna-80001, Bihar through its Proprietor Mr. Anajani Kumar Singh, Son of late Ram Chandra Prasad Singh, resident of Village- Hasanpur, P.S.- Mahnar, District- Vaishali, Bihar.
6. The Union of India through its Secretary, Ministry of Health New Delhi.

.... Respondents

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Appearance :

For the Petitioner : Mr. Siddharth Shankar Pandey, Advocate.
For the Respondents : Mr. S.D Sanjay (Addl. Soc. Gen.)
For the AIIMS : Mr. Binay Kumar Pandey, Advocate.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 26-04-2017 Having heard learned counsel for the parties, we are of the considered view that after period of contract was over, in case, any dispute subsists in the matter of extension of contract, the disposal of the writ petition and the L.P.A. will not come in the way of the parties in ventilating the grievance in accordance to common law or remedy of arbitration, if any, available under the



agreement in question. The parties are free to take recourse of the said remedy, if any, subsisting after expiry of the contract.

With the aforesaid clarification and modification to the order dated 06.02.2017 passed in L.P.A. No. 238 of 2016, this application is disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

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