

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20517 of 2013

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Ashwani Kumar S/O Shri Sheo Shankar Pd. Singh R/O- Purani Bijali
Colony, Utta Station, P.S. + Dist.- Jehanabad

... .. Petitioner/s

Versus

1. East Central Railway, Hajipur, District- Vaishali, Through The General Manager
2. The General Manager, East Central Railway, Hajipur
3. The Principal Chief Engineer, East Central Railway, Hajipur
4. The Divisional Regional Manager, Danapur, East Central Railway, Danapur
5. Sr. Divisional Engineer (III), East Central Railway, Danapur
6. Shri Anil Kumar, Sr. Divisional Engineer III, East Central Railway, Danapur
7. The A.D.E.N./Line, Danapur, East Central Railway, Danapur
8. S.S.E./W/L/East Central Railway, Danapur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mrs. Namrata Mishra, Adv
For the Respondent/s : Mr. Anil Kumar Sinha, Adv
Mr. Yash Mathur , Adv

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 04-12-2018

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present writ petition has been filed for quashing
the letter no. W-7/05/Misc./DNR/Open/2012-13 dated 12.08.2013,
whereby and whereunder the contract agreement no. W-
7/05/Misc./D.N.R/Open/2012-13 in favour of the petitioner for the
work of replacement of PF surface of P.F. No. 01 and 02 at Bihta
station has been terminated with effect from 10.12.2012; and for
connected reliefs.



3. At the very outset, this Court takes note that remedy by way of arbitration is available to the petitioner for the relief sought in the writ petition.

4. In that view of the matter, this Court is not inclined to interfere in the matter to exercise its extraordinary writ jurisdiction. The writ petition accordingly stands disposed of with liberty to the petitioner to invoke the arbitration clause for redressal of his grievances. It is made clear that this Court is not expressing any opinion on the merits of the matter.

5. It is made clear that in case such an application is filed, the concerned authority would have regard to the present proceeding being pursued by the petitioner while considering any issue relating to condonation of delay, if applicable.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.12.2018
Transmission Date	NA

