

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23337 of 2013

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Shankar Kumar Vatsa Son Of Sri Madan Jha Resident Of Mohalla - Agarwa
700, P.O. Motihari, P.S. Motihari Town, District - East Champaran

... .. Petitioner/s

Versus

1. The Union Of India Through Divisional Railway Manager, Samastipur
2. General Manager, East Central Railway, Hazipur
3. Divisional Railway Manager, Samastipur
4. Sr. Divisional Engineer/ Ii, East Central Railway, Samastipur
5. A.D.R.M. Samastipur
6. Co - Ordinater (Engineer), East Central Railway, Samastipur
7. A.E.N., East Central Railway, Narkatiaganj

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Adv
For the Respondent/s : Mr. Anil Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 05-12-2018

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

2. The present writ petition has been filed for quashing the Termination Notice No. W/98/out post/W-1/34 dated 05.06.2013 issued by the respondent no. 4 whereby and whereunder rescinded the contract Agreement No. DRM/TC 348 dated 15.06.2011 in connection with construction of barrack of Railway Protection Force, Narkatiaganj and Raxaul and out post of Bugha; 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/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.12.2018
Transmission Date	NA

