

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8862 of 2013

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M/S Agros Impex India Private Limited, a company incorporated under the provisions of the Indian Companies Act, 1956, having its registered office at 201 composite house, 170 Prajapat Nagar opposite B - 2, Gulmohar Park, New Delhi-110049, India through Om Prakash, S/O Sri S.D. Pandey, Project Manager, resident of House No. 72, Neharu Nagar, Patna, District - Patna

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Transport, Vishwasariya Bhawan, Bailey Road, Patna
2. The State Transport Commissioner, Transport Division, Vishwasariya Bhawan, Bailey Road, Patna
3. The District Transport Officer, 4th Floor, Biscomaun Tower, Gandhi Maidan, Patna
4. M/S Utsav Safety System Private Limited, having its registered office at 6/7 D.B. Gupta Road, Paharganj, New Delhi - 110055, through its Director

.... Respondents

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Appearance :

For the Petitioner : Mr. Nand Kishore Prasad Singh, Advocate

For the Respondents : AC to AAG 12

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 23-07-2018

Heard learned counsel for the petitioner as well as
learned counsel for the respondents.

2. The present writ petition has been filed for the
following reliefs –

“(i) For issuance of an appropriate writ or writ(s), order or order(s), direction or direction(s), calling upon respondent no. 2 to produce the records of the entire proceedings in relation to the tender document dated 21.09.2011 for supply and affixing of High Security Registration Plates;

(ii) For issuance of an appropriate writ in the nature of



certiorari for quashing the entire proceedings culminating into grant of Letter of Intent dated 10.05.2012 in favour of respondent no. 4 for supplying and affixing of High Security Registration Plates (hereinafter referred to as "HSRP");

(iii) For issuance of an appropriate writ, order or direction to reconsider the entire matter afresh as the decision of the State respondent authorities suffers from malice, bias and arbitrariness;

(iv) For a direction to the respondent authorities to terminate the contract which has been entered into between the respondent no. 2 and respondent no. 4 on 31st of May, 2012 as the same has been entered into by misrepresentation and suppression of material facts;

(v) For grant of any other relief/reliefs to which the petitioner may be found entitled to in the facts and circumstances of the case;

3. At the very outset, this Court takes note of the statement made by learned counsel for the petitioner at the Bar that the arbitration proceeding is ongoing with regard to the cancellation of the petitioner's agreement by the respondents.

4. In the above view of the matter, this Court is not inclined to enter into the merits of the writ petition considering that the nature of the prayers made herein are in the nature of consequential reliefs to the result of the arbitration, which may be sought by the petitioner in an appropriate proceeding before the



appropriate forum as may be available in accordance with law.

5. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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