

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2646 of 2014

In

Civil Writ Jurisdiction Case No. 20598 of 2012

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M/s P.K. R. Enterprises, through its proprietor, Pramod Kumar Rai, Son of
Sri Jagdish Rai, Resident of Village & P.O.-Mohanpur, Via-Kashipur, P.S.-
Samastipur (Mu), District-Samastipur

.... Petitioner/s

Versus

1. The Union of India through Sri Madhresh Kumar General Manager, East Central Railway, Hazipur.
2. Sri Arun Mallic the Divisional Railway Manager (Engg.) East Central Railway Samastipur
3. Sri Mahbub Alam, The Divisional Engineer (Co-ordination) East Central Railway, Samastipur
4. Sri Rajnandan Rai, the Senior Section Engineer (works) water supply, East Central Railway, Samastipur
5. Sri Shil Aashish, the Senior Divisional Finance Manager, East Central Railway, Samastipur
6. Sri Vir Singh, the Assistant Town Engineer, East Central Railway, Samastipur
7. Sri Sanjay Kumar, The Junior Engineer (works) water supply, East Central Railway Samastipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhruva Mukherjee, Sr. Adv.
Mr. Nazir Ansari, Adv.
For the Respondent/s : Mr. Anil Kumar Sinha, Adv.
Mr. Akash Kesav, Adv.
Mr. Yash Mathur, Adv.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA



ORAL ORDER

8 08-02-2018 Heard Senior Counsel for the petitioner and learned counsel for the Railway.

A show cause has been filed in this case in which it has been categorically stated at paragraph nos. 4 and 5 that after the disposal of the case, the consideration has already been done and though measurement which had already been recorded in the measurement book have been signed by the agency except the with term “with objection”. Accordingly, admissible payment was sanctioned in favour of the petitioner. As no specific objection was raised by the petitioner with regard to the previous measurement and payment was accepted by the Agency, hence there is no need of re-measurement.

Learned counsel for the Railway submits that there has been substantial compliance of the order passed by this Court and no case of contempt is now made out. Whatever the grievance, the petitioner has, the same can well be redressed if the petitioner sits across the table and makes available the arbitration clause for which he is duly invited.

Considering the aforementioned submissions, the contempt application stands disposed of with the aforesaid



liberty.

(Anjana Mishra, J)

Jagdish/-

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