

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5200 of 2015

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Satyendra Kumar Yadav. S/o Sri Sukhlal Yadav. Resident of Mohalla -
Shastri Nagar, Road No.- 4, P.S.- Rampur, District - Gaya.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Government of Bihar,
Rural Works Department, Bisheshwaraiya Bhawan, Bailey Road, Patna.
2. The Chief Engineer, Rural Works Department, Bisheshwaraiya Bhawan,
Bailey Road, Patna.
3. The Superintending Engineer, Rural Works Department, Works Division
Sherghati, District - Gaya.
4. The Executive Engineer, Rural Works Department, Works Division,
Sherghati, District - Gaya.
5. The District Magistrate, Gaya, District - Gaya.
6. The Superintendent of Police, Gaya, District - Gaya.

... .. Respondents

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Appearance :

For the Petitioner : Mr. Ravindra Kumar Sinha, Advocate.

For the Respondents : Mr. Ashutosh Ranjan Pandey, AAG-15

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 13-12-2018

The present writ petition has been filed for quashing the order dated 19.06.2014 passed by the Executive Engineer, Rural Works Department, Works Division, Sherghati, District- Gaya vide letter no. 622 by which and whereunder the agreement of 19F2/08-09 has been cancelled and the earnest money and security amount will be forfeited and further directed to deposit a sum of Rs. 8,73,950/- through Bank Draft within fifteen days.

2. Learned counsel for the petitioner fairly accepts that remedy by way of arbitration is available to the petitioner for the relief sought in the writ petition.



3. 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.

4. 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)

Ibrar/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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Transmission Date	N.A.

