

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8264 of 2018

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Prahlad Rai, through its Partner Mr. Sunil Kumar Rizwani, S/o Late Prahlad Rai, Resident of Mohalla - Amla Tola, Katihar, P.S. P.O. & District- Katihar.

.... Petitioner

Versus

1. The Union of India, General Manager, N.F. Railway, Maligaon, Gauhati, Assam.
2. The D.R.M (Works), DRM Office Katihar, P.O.- Katihar, District- Katihar.
3. The Senior DEN-IV, N.F. Railway, DRM Office Katihar, P.O.- Katihar, District- Katihar.
4. The S.S.E, (Works) East, N.F. Railway, DRM Office, Katihar, District- Katihar.
5. A.D.E.N.-II, N.F. Railway, DRM office, Katihar, District- Katihar.

.... Respondents

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Appearance :

For the Petitioner : Mr. Praween Kr. Jaipuriyar
Mr. Anshuman Jaipuriyar
Miss Anukriti Jaipuriyar, Advocates
For the Respondents : Mr. Anil Kumar Sinha,
Mr. Abhimanyu Deo, Advocates

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 18-06-2018

The present writ petition has been filed for quashing the Memorandum no.W/362/15/Recycling Plant/KIR/IV/W-2 dated 07.03.2018 (Annexure-11) and Memorandum no.W/362/15/Recycling Plant/KIR/IV/W-2 dated 17.04.2018 (Annexure-12) whereby the respondents have arbitrarily imposed the penalty amount and liquidated damages to the tune of Rs. 8,68,389/- without performing their part of contract of handing over the complete peaceful possession of the property in time; and for staying the cancellation of contract.

2. Ms. Anukriti Jaipuriyar, learned counsel for the petitioner, submits that the grievances of the petitioner have already been redressed



during the pendency of the writ petition, which need not be pressed.

3. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	18.06.2018
Transmission Date	N.A.

