

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18168 of 2018

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Rajeev Kumar, Son of Late Gopaljee Prasad Singh, Director of Shree Gopal
Contraction & Developer Pvt. Ltd., Resident of Banjari Road, Ward NO. 14,
District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Rural Works Department,
Government of Bihar, Patna.
2. The Executive Engineer, Rural Works Department, Work Division-1,
Gopalganj.
3. The District Certificate Officer, Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashish Giri
For the Respondent/s : Mr. Smt.Archana Meenakshee -Gp6

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-09-2018 The present writ petition has been filed for quashing

the Certificate Case No. 04 of 2017-18 as also for quashing the

warrant of arrest issued against the petitioner herein.

2. The short submission made by the learned counsel for the

petitioner is that the petitioner in the capacity of the Director of

his Company, namely, Shree Gopal Construction and Developer

Pvt. Ltd. has already filed Reference Case No. 50 of 2014 by

invoking the arbitration clause before the Bihar Public Works

Contractor Dispute Arbitration Tribunal, Patna and the

connected certificate case also pertains to the same transaction,

hence, the certificate case be stayed pending the final

determination of the Reference Case No. 50 of 2014.



3. I have heard the learned counsel for the parties and I find that since the petitioner in the capacity of Director of his company has already invoked the arbitration clause and has approached the arbitration tribunal by filing Reference Case No. 50 of 2014, it would be in the interest of justice to stay the Certificate Case No. 04 of 2017-18 pending before the Certificate Officer, Gopalganj as also the warrant of arrest issued against the petitioner herein till the disposal of the aforesaid Reference Case No. 50 of 2014.

4. In view of the aforesaid, the present writ petition is disposed of with a direction that the aforesaid pending certificate case as also the warrant of arrest shall remain in abeyance till the passing of the final award by the Arbitral Tribunal, Patna.

5. It is needless to state that liberty is reserved unto the petitioner to raise such other pleas as are available to him under the law, in case any adverse order is passed against him.

6. The present writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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