

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.897 of 2021

Nunu Choudhary Son of Channu Choudhary, resident of Village and P.O. Bishanpur, Darbhanga - 847204.

... .. Petitioner

Versus

1. The State of Bihar through the Secretary, Department of Public Health and Engineering, Govt. of Bihar, Patna.
2. The Secretary, Department of Public Health and Engineering, Govt. of Bihar, Patna.
3. The Engineer in Chief cum Special Secretary, Department of Public Health and Engineering, Govt. of Bihar, Patna.
4. The Chief Engineer, Department of Public Health and Engineering, Govt. of Bihar, Purnea Region, Purnea.
5. The Superintending Engineer, Department of Public Health and Engineering, Govt. of Bihar, Saharsa Circle, Saharsa.
6. The Executive Engineer, Department of Public Health and Engineering, Govt. of Bihar, Public Health Division, Madhepura.
7. M/s Umeshwar Kumar Roy, Madhepura.
8. Samrat Builtech India Private Limited, Madhepura.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal, Advocate
For the Respondent/s : Mr. Nagendra Prasad Yadav (SC-23)
Ms. Bandana Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

8 10-12-2021 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

This writ petition has been filed for quashing a notice inviting tender afresh and directing the respondent No. 6 to



execute an agreement with the petitioner in the light of a letter of acceptance dated 30.07.2020.

On perusal of the pleadings on record, we find that the petitioner's claim involves disputed questions of fact. It is also not in dispute that there is an arbitration clause for the agreement in question.

Such being the position, we are not inclined to entertain this application under Article 226 of the Constitution of India. This application is, accordingly, dismissed with a liberty to the petitioner to invoke any other remedy as may be available to him for redressal of his grievances. We make it clear that we have not gone into the merits of the petitioner's claim. The petitioner shall, however, be at liberty to raise all such points which have been raised in the present writ application before appropriate forum.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

Rajesh/-

U			
---	--	--	--

