

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4802 of 2021

Pyramidfabcon Event Manager Pvt. Ltd. through its Director, Kaushal Kishore Singh, aged about 43 years, Male, son of Late Ram Janam Singh, resident of Village- Shahpur Diara, P.S. Sonpur, District- Saran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Tourism, Government of Bihar, Patna.
2. The Divisional Commissioner, Saran Division, Bihar.
3. The Director of Tourism, Department of Tourism, Government of Bihar, Patna.
4. The Deputy Director of Tourism, Department of Tourism, Government of Bihar, Patna.
5. The District Magistrate, District Saran, Bihar.
6. The Sub Divisional Officer, Sonpur, District Saran, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan, Advocate
For the Respondent/s : Mr. Anirban Kundu, SC 24

CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

4 21-02-2022 Heard learned counsel for the parties.

Admittedly, there is an Arbitration clause in the agreement. Clause 2.3 of General terms and Conditions which is reproduced below for ready reference:

**“2.3 GENERAL TERMS AND
CONDITONS**

A. The DOT, GOB reserves the right not to accept bid(s) from agency(ies) resorting to unethical practices or on whom investigation/enquiry proceedings have been initiated by Government investigating



Agencies & Vigilance Cell.

B. The DOT, GOB is not bound to accept the highest bidder or to assign any reason for non-acceptance. The DOT, GOB reserves its right to accept the bid in part or in full. Conditional Bids will be rejected outright.

C. The DOT, GOB reserves the right to summarily reject an offer received from any agency(ies), without any intimation to the bidder(s).

D. The DOT, GOB reserves the right to withdraw/cancel the bid document partially or completely at any stage.

E. The DOT, GOB reserves the right to intervene and moderate the rent/charges levied on the vendors at its own discretion.”

Learned counsel for the parties submits that they are ready to invoke the said clause for settlement of dispute. In view of the statement, we feel that no further adjudication is necessary in the writ petition.

We hope and trust that the latest amendment made in the Arbitration and Conciliation Act shall be taken into consideration by the concerned authority.

The writ petition stands disposed off.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

P. Kumar

U			
---	--	--	--

