

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.3 of 2022

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M/A Ajanta Construction Company through its Partner Sushil Kumar Choubey, age- 48 years, Male, Son of Late Hare Ram Choubey, Resident of F-175, P.C. Colony, Kankarbagh, P.S.- Kankarbagh, District- Patna, Bihar, 800020.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Road Construction Department, Government of Bihar, Patna.
2. The Engineer in Chief, R.C.D., Bihar, Patna.
3. Chief Engineer, R.C.D., Simanchal, Patna.
4. Superintending Engineer, R.C.D., Saharsa Circle Office, Saharsa.
5. Executive Engineer, R.C.D. Road Division, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Dinesh Choudhary, Advocate Mr. Ajay Kumar Jha, Advocate Mr. Prafulla Chandra Thakur, Advocate
For the Respondent/s	:	Mr.Uday Shankar Sharan Singh (GP 19)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 30-03-2022 This application under Section 11(6) of the Arbitration and Conciliation Act, 1996 has been filed praying for appointment of an Arbitrator to adjudicate the dispute between the parties.

After the matter was heard for some time, finding the Bench not to be in favour of the submission made by the learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petition, in its present form, may be permitted to be withdrawn reserving liberty to invoke



the arbitration clause contained in the agreement dated 07.03.2007 and file afresh with better particulars on the same and subsequent cause of action, should the need so arise.

Liberty granted

Petition is disposed of as withdrawn with the liberty aforesaid.

Also liberty reserved to the petitioner to take recourse to such other remedies as are otherwise available in accordance with law.

Interlocutory application(s), if any, shall also stand disposed of.

(Sanjay Karol, CJ)

K.C.Jha/-

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