

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.9 of 2022

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M/S Tirupati Construction and Infrastructure Through its Partner Sri Rajmukh Kumar Rai, Male, Aged about 454 years, Son of Late Ram Naresh, Resident of House No. L-6/424, Ashiyana Angan, Alwar, By- pass Road, Bhiwadi, District- Alwar (Rajasthan).

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Building Construction Department, government of Bihar, Nirman Bhawan, Bailey Road, Patna.
2. The Chief Engineer, Patna, Building Construction Department, Government of Bihar, Nirman Bhawan, Bailey Road, Patna.
3. The Superintending Engineer, Building Construction Department, South Bihar Circle, Punai Chak, Patna.
4. The Executive Engineer, Building Construction Department, government of Bihar, Patna Building Construction Division, Near Fire Brigade Office, Near Police Line, Lodipur, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Uma Shankar Tiwary, 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counsel for the petitioner, under instructions, states that the petition, in its present form, may be permitted to be withdrawn reserving liberty to invoke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 05.08.2017 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Petition is disposed of as withdrawn with the liberty aforesaid.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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