

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1588 of 2022

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Ajay Kumar Thakur, Son of Baijyanath Thakur, Resident of S.K. Enterprises,
5/6 Punjabi Colony, At and P.O. and District- Samastipur.

... .. Petitioner/s

Versus

1. The Union of India through Directorate of Economics and Statistic Ministry of Agriculture, Government of India, Krishi Bhawan, New Delhi.
2. The State of Bihar through the Secretary, Dept. of Agriculture, Government of Bihar, Patna.
3. The Vice Chancellor, Rajendra Agricultural University, Bihar at Pusa, District- Samastipur.
4. The Director, Administration, Rajendra Agricultural University, Bihar at Pusa, District- Samastipur.
5. The Director, Work and Plant, Rajendra Agriculture University, Bihar, Engineering Cell at Pusa, District- Samastipur.
6. The Officer In-Charge, Rajendra Agricultural University, Bihar, Engineering Cell at Pusa, District- Samastipur.
7. The Executive Engineer, Rajendra Agricultural University, Bihar, Engineering Cell at Pusa, District- Samastipur.
8. The Accountant Office of Executive Office, IDA Project, Rajendra Agricultural University Bihar, Pusa, Samastipur.
9. The Assistant Engineer, Rajendra Agricultural University, Bihar, Engineering Cell at Pusa, District- Samastipur.
10. The Junior Engineer, Rajendra Agricultural University, Bihar, Engineering Cell at Pusa, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anirudh Kumar Sinha, Advocate
For the Respondent/s	:	Dr. Krishna Nandan Singh (ASG)
For Respondent Nos. 3 to 10	:	Mr. D. K. Sinha, Sr. Advocate
		Mr. Chandra Mohan Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 21-03-2022 Heard learned counsel for the parties.

The petitioner has prayed for the following relief/s :-



That petitioner is invoking the extra ordinary writ jurisdiction of the Hon'ble Court for issuance of an appropriate writ(s), order(s), direction(s) for commanding and directing to the respondents authority concern to act in the sprite and prospective of the agreement enter between parties and such forthwith clear the outstanding admitted dues of Rs. 9,36,859/- of the petitioner release of National Saving Certificate kept against earnest money documents valued of Rs. 4,27,000/- along with interest for the work of construction of Building for College of Fisheries, Dholi, Muzaffarpur year 2004-2005 under the Agreement dated 21.03.2005, agreement number 117 F2 2004-2005 and interest upon the admitted dues upto date of its actual realization from the date of completion of work i.e. 18.10.2006.

Mr. D. K. Sinha, learned senior counsel appearing on behalf of Respondent Nos. 3 to 10 states that the arbitration



agreement, in relation to works contract, contained in arbitration clause, is not on record.

Learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to take recourse to such alternative remedies, as are otherwise available, in accordance with law, including invoking arbitration clause, contained in the said agreement.

Permission granted.

The present petition stands disposed of as withdrawn with liberty aforesaid.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/Sujit

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