

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8203 of 2019

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Shubham Shriwastava, CEO and Founder of Technicos Tech Ltd. LLP aged about-24 Years, Male Son of Narendra Bhushan, resident of Jai Maa Bhagwari Kutir, 8/128, Janta Press Lane, Ganga Sagar Chauk, Madhubani, Bihar, PIN-847211.

... .. Petitioner/s

Versus

1. The Bihar Cricket Association through its Honary Secretary, Bindhyavasini Commercial Complex, R.K. Bhattacharya Road, Patna-800001.
2. The Honary Secretary, Bihar Cricket Association, Bindhyavasini Commercial Complex, R.K. Bhattacharya Road, Patna-800001
3. The President, Bihar Cricket Association, The President Bihar Cricket Association

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
For the Respondent/s : Mr. Jagannath Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 01-11-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

- i. That the present writ application is being filed in the nature of *Certiorari* for quashing the termination notice(Annexure-P-9) dated 23.02.2019 by which the agreement of the petitioner has been terminated from 28.02.2019 by Bihar Cricket Association for running the website of Bihar Cricket Association, it is in violation of the terms of the agreement dated 17.01.2017 (Annexure-P-1); on the ground that the petitioner has not been given the



- show cause notice for termination or to reply, there has been no fault on part of the petitioner in running the website or uploading any data, the Bihar Cricket Association has terminated the agreement arbitrarily;
- ii. That the present writ application is being filed in the nature of *Mandamus* for a direction to Bihar Cricket Association to allow the petitioner to continue running the website of Bihar Cricket Association for the period as of three years in the light of the agreement dated 17.01.2017 (Annexure-P-1 to the writ application).
- iii. That the present writ application is being filed in the nature of *mandamus* for a direction to clear the dues of Rs. 1,44,954/- which is pending till December, 2018 in the light of different communication between the Bihar Cricket Association and the petitioner.
- iv. For issuance of any other relief or relief(s) for which the petitioner is entitled for.

After the matter was heard for some time, finding the Court not in favour of the submissions made by the learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition, with liberty to initiate appropriate proceedings before the appropriate forum and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

It stands clarified that all issues of fact and law are



left open to be agitated before the competent authority.

The petition is disposed of as withdrawn with the liberty aforesaid.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Amrendra/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	04.11.2022
Transmission Date	

