

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17884 of 2021

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Sontsa Beverage and Foods Private Limited having its registered office situated at - E- 515, 1st Floor, Gupta Plaza, Sec. 7, Rampal Chowk, Dwarka, P.O. - Sector-7, P.S. - Dwarka South, District - South West Delhi, New Delhi - 110075 represented through its Authorized Signatory, namely, Rajesh Singh, aged about 51 years, gender - male, S/o Late Sachchida Nand Singh

... .. Petitioner/s

Versus

1. The Dr. Rajendra Prasad Central Agriculture University Pusa, P.O. and P.S. - Pusa, District - Samastipur - 848125, through its Registrar.
2. The Registrar, Dr. Rajendra Prasad Central Agriculture University, Pusa, P.O. and P.S. - Pusa, District - Samastipur - 848125.
3. The Centre for Start-up Facilitation - RPCAU, Pusa, P.O. and P.S. - Pusa, District - Samastipur - 848125 through its Project Director.
4. The Project Director The Centre for Start-up Facilitation - RPCAU, Pusa, P.O. and P.S. - Pusa, District - Samastipur - 848125.
5. The Estate Officer, Dr. Rajendra Prasad Central Agriculture University, Pusa, P.O. and P.S. - Pusa, District - Samastipur - 848125
6. The Director, Seed and Farms, TCA, Directorate of Seed and Farms, TCA, Dholi, Samastipur.
7. The Director Research, Dr. Rajendra Prasad Central Agriculture University, Pusa, P.O. and P.S. - Pusa, District - Samastipur - 848125.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ravindra Kumar Shukla, Advocate
For the Respondent/s	:	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 JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 29-06-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

(I) To quash / set aside letter dt. 4.9.2021 (Annexure – 5) whereby the respondent No.4 has cancelled the agreement dt. 19.1.2021 by and between the respondent no.3 and the petitioner.

(ii) To quash / set aside the letter dt. 8.9.2021 (Annexure – 6A) whereby the respondent No.5 has directed the petitioner to vacate the premises within 15 days' time or else the process of eviction will follow.

(iii) For issuance of writ in the nature of mandamus directing / commanding concerned respondents to permit the petitioner's agency to maintain the orchard and also to go for intercropping and other suitable advancement to recover the agro products and next season harvesting of fruits.

(iv) To grant any other and further relief(s) as to which the Honourable Court may deem fit and proper in the interest of justice.

We are of the considered view that petitioner can take recourse to the Clause 5 of the agreement dated 19.01.2021 (Annexure 1) entered into between the parties. It provides for an equally efficacious remedy.

The disputed question of fact, more so, when the petitioner's agreement stands terminated cannot be allowed to be adjudicated in the present petition filed under Article 226 of the Constitution of India.

The petition stands disposed of with the liberty aforesaid.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/- Ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.07.2022
Transmission Date	NA

