

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.1 of 2021

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M/s. Navayuga Jahnvi Toll Bridge Pvt. Ltd. having its registered office at House No. 8-2-293/82/A379/A, 2nd Floor, Plot No. 379, Road No. 10, Jubilee Hills, Hyderabad through its Authorized Representative Yerra Gopi Srinivasa Babu, Male, Aged about 39 yrs. S/o Shri Y.L.H Kesavarao, Resident of Temple Street, Uppuluru, P.S.- Undi, Dist.- West Godavari, Andhra Pradesh.

... .. Petitioner/s

Versus

1. The Bihar State Road Development Corporation Limited through its Managing Director, Office at RCD Central Mechanical Workshop Campus, Sheikhpura, Patna.
2. Managing Director, the Bihar State Road Development Corporation having its office at RCD Central Mechanical Workshop Campus, Sheikhpura, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S.D. Sanjay, Sr. Advocate Mr. Mohit Agarwal, Advocate Ms. Sushila Agrawal, Advocate Mrs. Sushmita Mishra, Advocate
For the Respondent/s	:	Mr. Lalit Kishore, Sr. Advocate Mr. Manish Dhari Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date : 10-08-2022

The instant application has been filed seeking appointment/constitution of an Arbitral Tribunal having three members one being the nominee of the petitioner and another being the nominee of the respondent and the third to be independently appointed by the said two nominees appointed by the parties, to whom this Court may deem fit and proper for deciding the disputes between the petitioner and the respondent Bihar State Road Development Corporation Limited in respect



of Notice/Request for Qualification ('RFQ') dated 9.1.2010 for Construction, Operation and Maintenance of the Greenfield Bridge across the river Ganges and its approaches connecting Bhakhtiyarpur Bypass of National Highway-31 near Village-Karjan and National Highway-28 at Village- Tajpur in the State of Bihar on DBFOT basis.

It is stated at the Bar that C.W.J.C. Nos. 2255 of 2021, titled as M/s Navayuga Jahnvi Toll Bridge Private Ltd. Vs. The State of Bihar and CWJC No. 4640 of 2021, titled as M/s Navayuga Jahnvi Toll Bridge Private Ltd. Vs. The State of Bihar, *inter se* the parties with respect to the very same subject matter are pending adjudication before this Court. The outcome of the petitions is likely to have bearing on the instant petition. Perhaps, there may not be any need to pursue the instant petition.

At this stage, Sri S.D. Sanjay, learned Senior Counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to file a fresh petition on the same and subsequent cause of action, should the need so arise subsequently.

Learned counsel for the respondents supports the petitioner.



As such, the present petition is permitted to be withdrawn reserving liberty to the petitioner to file a fresh petition on the same and subsequent cause of action, should the need so arise subsequently.

As and when any such petition is filed, the same shall be listed on priority basis.

The instant petition stands disposed of as withdrawn with the liberty/direction aforesaid.

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

(Sanjay Karol, CJ)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	11.08.2022
Transmission Date	

