

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1650 of 2023

M/s Adonis Infratech Private Limited H/o Dharmshila Kumari, Maruti Nagar, Chiryatand, Patna through its Managing Director Om Prakash Singh, Aged about- 47 years Male S/o Late Hargovind Singh, residence of Village- Mahna, P.O.- Mahna, P.S.- Barauni, District- Begusarai.

... .. Petitioner/s

Versus

1. The Union of India through the General Manager, East Central Railway Hajipur, Bihar, Pin- 844101.
2. The General Manager, East Central Railway Hajipur, Bihar, Pin- 844101.
3. The Divisional Rail Manager, East Central Railway Mugalsarai, (Deendayal Upadhyai) Utter Pradesh, Pin- 232101.
4. The Coordinator, East Central Railway Mugalsarai, (Deendayal Upadhyai) Utter Pradesh, Pin- 232101.
5. The Divisional Engineer-III, East Central Railway Mugalsarai, (Deendayal Upadhyai) Utter Pradesh, Pin- 232101.
6. The Assistant Divisional Engineer, East Central Railway Japla, Jharkhand, Pin- 822116.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ram Tujabh Singh, Advocate
For the Respondent/s	:	Mr. Awadhesh Kumar Singh, Sr. CGC
		Mr. R.K. Sharma, Cgc
		Mr. Lokesh, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

5 24-04-2023 In the instant petition, petitioner has prayed for the following relief(s):-

(i) To issue a writ CERTIORARI in nature setting aside the letter0MGS/BT/242/ Sr. DEN (III) 18-19 dated- 22.07.2019 and letter MGS/BT/16/Den/III/18-19 dt. 11/01/2022 issued as well as letter dt.-21/12/22 under signature of Sr. divisional Engineer (III), East Central Railway, DDU (Respondent-5).



(ii) To issue a writ (S) MANDAMUS in nature directing the respondents to release the EMD and performance guaranty as well as interest of the same which has been submitted by the petitioner.
(iii) To any other relief (S) for which petitioners are entitled for in the facts and circumstances of the case.

2. Learned counsel for the petitioner after arguing for sometime, seeks permission to invoke arbitration clause. He is permitted to do so.

3. Accordingly, the writ petition stands disposed of.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

DKS/
Balmukund/-

U			
---	--	--	--

