

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.757 of 2021

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Aumkar Nath Rai Son of Late Kamla Rai, Director, Bharat Infracon Private Limited, Patna, Resident of House No. 1A, Patliputra Colony, P.S. Patliputra, District - Patna - 800013.

... .. Petitioner/s

Versus

1. Rahul Kumar Singh Son of Subhash Prasad Singh, partner of M/s Omsai Engicon, Resident of Savita Sadan, Mohalla Naya Bazar, Nariyar Road, P.S. Saharsa, District - Saharsa.
2. Subhash Prasad Singh, Son of Late Bindeshwari Singh, partner of M/s Omsai Engicon, Resident of Savita Sadan, Mohalla Naya Bazar, Nariyar Road, P.S. Saharsa, District - Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Narendra Kumar
For the Opposite Party/s : Mr. Dinesh Maharaj

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

9 09-01-2023 Heard learned Counsel for the parties concerned.

Both, learned Counsels, submit that a report has been submitted by the learned Mediator, on 17.10.2022, prepared in Mediation Proceeding No. 220 of 2022 and both the parties have come to an amicable settlement. The petitioner has already given a sum of Rs. 35,00,000/- in favour of the opposite opposite parties in pursuance of the memorandum of agreement arrived at before the learned Mediator by all the parties.

Learned Counsel for the petitioner, at this juncture, submits that vide order, dated 29.06.2021, this Court had directed the petitioner to deposit a sum of Rs. 10,00,000/- in advance before the Registry of this Court, in order to show his



bona fide, which the petitioner deposited on 17.07.2021, vide Challan No. J-17. According to him, since the matter has amicably been settled between the parties and the memorandum of agreement has been acted upon, in that view of the matter, the Registry may be directed to refund a sum of Rs. 10,00,000/-, deposited by him, in favour of the petitioner, namely, Aumkar Nath Rai.

Learned Counsel for the opposite parties has no objection if the payer of the petitioner is accepted.

Having heard learned Counsel for the petitioner and taking into consideration the report of the learned Mediator, the Joint Registrar (Judicial), Patna High Court, Patna, is directed to refund a sum of Rs. 10,00,000/- in favour of the petitioner, Aumkar Nath Rai, within a period of two weeks from today in the mode applicable for such refund.

With the aforesaid observation and direction, this application is disposed.

I. A. Nos. 1 and 2 of 2021 are dismissed as not pressed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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