

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4936 of 2023

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Sheo Kumar Singh Late Jagarnath Roy, R/o Laljee Tola, Near Devi Sthan, P.S. Gandhi Maidan, Patna-800001. Petitioner

Versus

1. The Union of India through the Secretary, Ministry of Information and Broadcasting, Government of India, Shastri Bhawan, Sansad Marg, New Delhi-110001.
2. The Secretary, Ministry of Information and Broadcasting, Government of India, Shastri Bhawan, Sansad Marg, New Delhi-110001.
3. The Chief Executive Officer, Prasar Bharti, Broadcasting Corporation of India, Prasar Bharti Secretariat, II floor, PTI Building, New Delhi-110001.
4. The Director General, All India Radio Directorate, Akashwani Bhawan, Parliament Street, New Delhi-110001.
5. The Engineer-in-Chief, All India Radio, Akashwani Bhawan, I floor, Sansad Marg, New Delhi.
6. The Chief Engineer (Civil) Civil Construction Wing, All India Radio, Soochna Bhawan, Lodhi Road, C.G.O. Complex, New Delhi-110003.
7. The Superintending Engineer (Civil), Civil Construction Wing, All India Radio, Golf Green, Fourth Floor, Doordarshan Bhawan, Kolkata-700095.
8. The Executive Engineer (Civil) Civil Construction Wing, All India Radio, Patna.
9. The Assistant Engineer (Civil) II, Civil Construction Wing, All India Radio, Patna.
10. The Director (Engineering), All India Radio, Bhagalpur.
11. The Orchid Profiles Pvt. Ltd. Moti Bhawan, Behind RBI, Salimpur Ahra, P.S. Gandhi Maidan, Patna-800003.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Advocate
For the Respondent/s : Mr.Tuhin Shankar, CGC

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner and the State.

This is yet another attempt of the petitioner to maintain a writ application in the matter of alleged dispute which seems to be commercial in nature.

Earlier, the petitioner had moved this Court in CWJC No. 9048 of 2019 which was disposed of vide order dated 18.10.2022 granting liberty to the petitioner to withdraw the writ application.



Learned counsel for the petitioner submits that after withdrawal of the said writ application when an application was filed before the Bihar Public Works Arbitration Tribunal, the same was rejected vide order contained in Annexure '16' on the ground that the Tribunal has no jurisdiction to decide the dispute which was filed against the Union of India.

Mr. Tuhin Shankar, learned counsel for the respondents has opposed this writ application. It is submitted that the dispute is a purely commercial dispute and in such circumstance, the petitioner has to seek his remedy before an appropriate forum in accordance with law.

This Court finds substance in the submission of learned counsel for the respondents. Once the writ application was permitted to be withdrawn by the Hon'ble Division Bench with liberty to the petitioner to seek his remedy before an appropriate forum, this Court would not entertain this writ application for the same cause of action.

The petitioner, if so advised, may seek his remedy before an appropriate forum in appropriate jurisdiction.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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