

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.82 of 2022

M/s Haryana Power Generation Corporation Ltd. Unit DCRTTP, Yamuna Nagar a company incorporated under the Companies Act having its registered office at Urja Bhawan, Sector 6, Panchkula Haryana through its Authorized signatory Amit Kumar aged about 43 years son of Sri Tilak Raj Residing at House No. 285, Rampura Colony, Jagadhari, Yamuna Nagar, P.S.- Yamuna Nagar, District- Yamuna Nagar, Haryana.

... .. Petitioner/s

Versus

1. Indian Railways through the General Manager, East Central Railway, Hajipur, District- Vaishali.
2. The Chief Commercial Manager/FMS, East Central Railway, Hajipur, P.S.- Hajipur, District- Vaishali.
3. The State Bank of India through its Chief Manager, Exhibition Road, Patna.
4. The Chief Manager, State Bank of India, Exhibition Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Ranjan, Advocate Ms. Maria Nazir, Advocate
For the Respondent/s	:	Mr.Additional Solicitor General, Advocate
For the Railways		Mr. Tuhin Shankar, Adv & CGC
For the S.B.I.		Mr. Amit Shrivastava, Sr. Advocate Mrs. Archana Khopade, Advocate Mr. Apurv Harsh, Advocate Ms.Mahima Sharma, Advocate Mr. Manu Tripurari, Advocate Mr. Sujit Kumar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

6 18-05-2023 Learned counsel for the petitioner submits that he wants to withdraw the request case considering the fact that arbitration case has already been commenced.

Learned counsel for the State Bank of India submits that the arbitration proceedings commenced is not proper since the Railways cannot appoint their retired personnel under



Section-12, read with Schedule-5 as also the binding precedents of the Hon’ble Supreme Court on this point.

However, since the petitioner herein has requested for withdrawal of the petition, nothing survives in this case.

The respondent Nos. 3 and 4 would be left to their remedies in an appropriate proceeding.

(K. Vinod Chandran, CJ)

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