

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.954 of 2024

M/s Tirupati Balaji Enterprises, through its Proprietor Yogendra Sharma, aged about 57 Years, Male, Son of Late Thakur Sharma, Resident of Village and P.O.-Newari, P.S. Makhdumpur, District-Jehanabad, Office at Anand Vihar Colony, East Bahadurpur, Telephone Exchange, Bhootnath Road, Patna-800026.

... .. Petitioner/s

Versus

1. The Union of India through G.M., E.C. Railway, Hajipur.
2. The Divisional Railway Manager (Engg). E.C. Railway, Dhanbad, Jharkhand.
3. The Sr. Divisional Engineer (II), East Central Railway, Dhanbad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Respondent/s : Dr. K.N. Singh, Additional Solicitor General

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

8 02-07-2024 The preliminary objection raised in consideration of the writ petition which challenges the cancellation of contract under Clause-62 of the General Conditions of Contract (for brevity ‘GCC’) is that there is an alternate remedy by way of conciliation of disputes as provided under Clause-63 of the GCC, which could also lead to an arbitration under the Arbitration and Conciliation Act, 1996, if conciliation is not possible.

2. In such circumstances, leaving open the remedy of



the petitioner to approach the competent authority under Clause-
63 of the GCC, we close the writ petition without any
observation on the merits.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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