

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1017 of 2024

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M/s Orion Security Solution Pvt Ltd., through the Managing Director Ashutosh Jha, (Male) Son of Late Sh. Satish Kumar Jha, aged 52 Years, State office Bihar and Jharkhand Regional Office-Sakaldina House No.24, Basant Vihar Colony, Boring Road, Patna-1.

... .. Petitioner/s

Versus

The Senior Divisional Manager L.I.C. Patna Division Office-2 Jeevan Ganga Apartment, Fraser Road, Patna-800001.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shashank Kumar Singh, Advocate
For the Respondent/s : Mr.Rakesh Kumar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 27-06-2024

The petitioner is concerned with Annexure-P/1 by which the petitioner has been blacklisted forever. The grounds of blacklisting have been stated. The petitioner does not have a case that a notice was not issued. Admittedly, there is an arbitration clause in the agreement which is at Annexure-P/4. The arbitration clause requires reference to the Sr. Divisional Manager, Life Insurance Corporation of India, Patna Division-2 which may not be possible as of now since the interested parties cannot hold arbitration.



2. In the above circumstances, the petitioner has to file an application for appointing an independent arbitrator or approach the appropriate Court for appointment of such arbitrator with an arbitration request. The petitioner cannot approach this Court under Article 226 of the Constitution of India especially challenging an order passed more than an year back.

3. In the above circumstances, we decline jurisdiction to invoke the extraordinary power under Article 226 of the Constitution of India. The petitioner would also have a remedy to approach the respondents to modify the blacklisting forever to a specific period.

4. With the above reservation, the writ petition would stand closed.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

