

IN THE HIGH COURT OF JUDICATURE AT PATNA
COMMERCIAL APPEAL No.2 of 2020

1. Union of India, the Secretary, Ministry of Railways, Rail Bhawan, New Delhi-110 001.
2. The Chairman, Railway Board, Ministry of Railways, Rail Bhawan, New Delhi-110 001.
3. The General Manager, East Central Railway, Hajipur, District- Vaishali (Bihar), Pin-844 101.
4. The Chief Engineer, East Central Railway, Mahendrughat, District-Patna, Pin-800 004.
5. The Deputy Chief Engineer, Construction, East Central Railway, Mahendrughat, District-Patna, Pin-800 004.

... .. Appellants

Versus

Afcons Infrastructure Limited a company registered under Companies Act, 1956 with its registered office situated in the State of Maharashtra at Afcons House, 16, Shah Industrial Estate, Veera Desai Road, Azad Nagar Post Office, P.O. Box No. 17978, Andheri (W), Mumbai-400 053, through its Authorized Signatory Mr. G.C. Sinha Roy, AGM (Execution).

... .. Respondent

Appearance :

For the UoI	:	Mr. Satyabir Bharti, Senior CGC Mr. Anwar Karim, CGC Mr. Abhishek Aanand, Advocate
For the Respondent	:	Mr. Raju Giri, Senior Advocate Mr. Harsh Vardhan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

4 05-01-2026 Mr. Raju Giri, learned Senior Counsel for the Respondent has informed this Court that during pendency of the present appeal, the appellants have already paid the entire award amount. It is not disputed by learned counsel for the appellants.

2. So far as this appeal is concerned, it was filed limited to a challenge to the condition put by the learned court



hearing the Miscellaneous (Arbitration) Case No. 37 of 2018 to deposit 80% of the awarded amount.

3. Since the payment has already been paid, this appeal has become infructuous and is being disposed of accordingly.

(Rajeev Ranjan Prasad, J)

(Shailendra Singh, J)

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