

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1083 of 2017

Ashok Kumar Singh, Son of Late Samoat Singh, proprietor of M/S Singh Rice Mill, Resident of Village-Tendua Harkesh, P.S.-Obra, District-Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar, through the District Magistrate, District-Aurangabad.
2. The Principal Secretary, Food and Consumer Protection Department, Bihar at Patna.
3. The Bihar State Food & Civil Supplies Corporation Limited through its M.D. Bihar at Patna.
4. The District Manager, Bihar State Food & Civil Supplies Corporation Ltd. Aurangabad, District Aurangabad.
5. The District Certificate Officer, Aurangabad, District-Aurangabad.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Mrigank Mauli, Advocate Mr. Sumeet Kumar Singh, Advocate
For the Respondent/s	:	Mr. S. Raza Ahmad- AAG 5 Mr. Vishwambhar Prasad, AC to AAG 5
For the Corporation	:	Mr. S. K. Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

6 18-10-2017 Delay of 75 days in filing of this appeal is condoned.

Interlocutory Application No.5555 of 2017 stands allowed
and disposed of.

Having heard learned counsel for the parties, now in view
of the fact that an Arbitrator has been appointed to reconsider
the dispute between the parties, it is not necessary to go into the
various issues involved in the matter. All issues, including
objections and counter objections raised by the parties, are kept



open to be considered by the Arbitrator. However, keeping in view the settled principle of law that when an adjudication of dispute in accordance to law before an appropriate forum is pending, coercive recovery should not be permitted, we direct that till the matter is not resolved by the Arbitrator, no coercive action shall be effected against the appellant.

With the aforesaid, the appeal stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

U			
---	--	--	--

