

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6840 of 2017

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Suresh Prasad Singh, son of Late Saraju Singh, resident of Magadh Colony, Road No.3, A.N.M.C.H. Gaya, District- Gaya, proprietor of M/S Suresh Prasad Singh Firm, Shati Kunj, Road No.3, Magadh Colony, Gaya.

.... Petitioner/s

Versus

1. The Union of India through the Secretary, Department of Defence.
2. The Chief Engineer, Military Engineer Service Jabalpur Zone-1, Ridge Road, Jabalpur- 482001.
3. The Commander Work Engineer, Ministry Engineer Service Depatoti Cantt, Ranchi.
4. The Garrison Engineer Military Engineer Services Gaya, Army Supply Crops Centre, North Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Thakur, Adv.
Mr. Sanjay Kumar, Adv.
For the Respondent/s : Mr. S.D Sanjay (Addl. Soc. Gen.)
Mr. Ravindra Kumar Sharma, CGC

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 10-08-2017

Heard learned counsel for the parties.

The present writ application is not maintainable in view of the scheme and mechanism provided in the Arbitration Act.

In the present case, the Arbitrator terminated the proceeding on account of the fact that both the parties had approached to the Arbitrator, they are contemplating to settle the dispute outside the arbitration proceeding and when they have not take an appropriate step, the Arbitrator has passed the order under Section 25(b) and terminated the arbitration proceeding.



The writ application is not maintainable. As forum to raise the dispute has been provided under the Arbitration Act, 1996, the petitioner should take steps accordingly.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.08.2017
Transmission Date	NA

