

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15596 of 2018

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Raju Prasad Son of Ramji Sah Proprietor of M/s Ganesh Rice Mill,
Resident of Village- Garkha, P.S. Garkha, District-Saran (Chapra).

.... Petitioner/s

Versus

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

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh
For the Respondent/s : Mr. S. Raza Ahmed, AAG-5
For the B.S.F.C. : Mr. Sanjay Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-10-2018 The present writ petition has been filed for quashing of the Certificate Case No. 11 of 2014-15 pending before the Certificate Officer, Saran at Chapra.

The learned counsel for the petitioner submits that the agreement entered into between the petitioner and the B.S.F.C. contains an arbitration clause for resolution of the dispute and the petitioner had filed a Request Case bearing Request Case No. 130 of 2017 wherein this Court by an order dated 08.09.2017 has been pleased to appoint an Arbitrator for resolution of the dispute and



the matter is pending adjudication before the learned Arbitrator.

The learned counsel for the respondent does not dispute the aforesaid position, hence it would be in the interest of justice to direct the Certificate Officer, Saran at Chapra not to take any coercive action against the petitioner for recovery of the dues in connection with Certificate Case No. 11 of 2014-15 till final award is passed by the learned Arbitrator.

The writ petition is disposed off with the aforesaid direction.

(Mohit Kumar Shah, J)

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