

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1147 of 2017

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Pushpa Devi, wife of Surendra Prasad Gupta, Proprietor of M/s Sri Lakshmi Ji Rice Mill, resident of Bhabhua, P.S.- Bhabhua, District- Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The Principal Secretary, Food And Consumer Protection Department, Bihar at Patna.
2. The State of Bihar through the District Magistrate, District- Kaimur (Bhabhua).
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, Kaimur (Bhabhua), District- Kaimur (Bhabhua).
5. The District Certificate Officer, Kaimur (Bhabhua), District- Kaimur (Bhabhua).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh
For the Respondent/s : Mr. S.Raza Ahmad-Aag5

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-12-2018 The learned counsel for the petitioner submits that in Certificate Case No. 102 of 2014-15 pending before the Certificate Officer, Kaimur at Bhabhua arises out of the same agreement out of which arbitral proceedings arises. It is submitted by the learned counsel for the petitioner that the petitioner has invoked arbitration clause of the agreement and, accordingly, this Court in Request Case No.291 of 2017 has been pleased to appoint an Arbitrator for adjudication of the dispute arises out of the agreement in question vide order dated 01.08.2018.

Having regard to the law on the subject matter, to the



effect that during the pendency of statutory remedies being availed by the petitioner herein, no recovery proceedings can be resorted to, this Court is of the opinion that further proceedings in Certificate Case No.102 of 2014-15 are required to be stayed till the publication of award by the learned Arbitrator, so appointed by this Court. It is directed accordingly.

The present writ petition is disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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