

IN THE HIGH COURT OF JUDICATURE AT PATNA
Request Case No.2 of 2018

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Rakesh Kumar @ Rakesh Kumar Yadav S/o Shri Chandrika Prasad Yadav
Resident of Village Chainpur, P.O. - Bhagwanpur Bazar, Block & P.S. -
Adapur, District - East Champaran, Prop : M/s Goeit Rice Mill, Village
Chainpur, P.O. Bhagwanpur Bazar, Block & P.S. Adapur, District - East
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Food and Consumers, State of Bihar, Patna.
2. The District Collector, Sitamadhi.
3. The Bihar State Foods and Civil Supplies Corporation Limited, through its Managing Director, Sone Bhawan, Patna.
4. The District Manager, Bihar State Food and Civil Supply Corporation Ltd. Sitamarhi.

... .. Respondent/s

with

Request Case No. 3 of 2018

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Ajay Kumar S/o Sri Chandra Pal Resident of Rukhai, Chandi, District
Nalanda, Prop : M/S Jai Thakur Baba Automatic Rice Mill, Rukhai, P.S.
Chandi, District Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Food and Consumers, State of Bihar, Patna.
2. The District Collector, Nalanda.
3. The Bihar State Foods and Civil Supplies Corporation Limited, through its Managing Director, Sone Bhawan, Patna.
4. The District Manager, Bihar State Food and Civil Supply Corporation Ltd., Nalanda, Biharsharif.

... .. Respondent/s

with

Request Case No. 4 of 2018

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Manoj Prasad S/o late Rajeshwar Prasad Prop : - Bajrang Traders, Resident
and Mill at mohalla - Ram Garhwa Bazar, P.O. - Ramgarhwa Bazar, P.S. -
Ramgarhwa Bazar, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Food and Consumers, State of Bihar, Patna.
2. The Bihar State Foods and Civil Supplies Corporation Limited, through its Managing Director, Sone Bhawan, Patna.
3. The District Manager, Bihar State Food and Civil Supply Corporation Ltd., East Champaran.



... .. Respondent/s

with

Request Case No. 5 of 2018

Rakesh Kumar @ Rakesh Kumar Yadav S/o Shri Chandrika Prasad Yadav
Resident of Village Chainpur, P.O. Bhagwanpur Bazar, Block & P.S. - Adapur,
District - East Champaran, Prop: - M/s Goeit Rice Mill, Village Chainpur,
P.O. Bhagwanpur Bazar, Block & P.S. Adapur, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Food and Consumers, State of Bihar, Patna.
2. The District Collector, East Champaran.
3. The Bihar State Foods and Civil Supplies Corporation Limited, through its Managing Director, Sone Bhawan, Patna.
4. The District Manager, Bihar State Food and Civil Supply Corporation Ltd., East Champaran.

... .. Respondent/s

with

Request Case No. 6 of 2018

Awadh Kishore Prasad S/o late Luxmi Prasad Prop - M/s Luxmi Rice Mill,
Adapur, East Champaran, R/o Village - Rampur Bazar, P.S. - Adapur, District
- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Food and Consumers, State of Bihar, Patna.
2. The District Collector/Magistrate, East Champaran, Motihari.
3. The Bihar State Food and Civil Supplies Corporation Limited through its Managing Director, Sone Bhawan, Patna.
4. The District Manager, Bihar State Food and Civil Supply Corporation Ltd. East Champaran, Motihari.

... .. Respondent/s

with

Request Case No. 7 of 2018

Sanjay Kumar Mandal son of Shankar Mandal Proprietor of M/s Sanjana Rice
Mill, Chandan Banka resident of village - Govindpur, P.O. + P.S. - Chanda,
District - Banka.

... .. Petitioner/s

Versus

1. The Bihar State Food & Civil Supply Corporation Limited, Khadya Bhawan, Daroga Prasad Rai Path, R - Block, Road No. 2 Patna - 800001 through its Managing Director. null null
2. The Managing Director, Bihar State Food & Civil Supply Corporation Limited, Office at Khadya Bhawan, Daroga Prasad Rai Path, R - Block, Road No. 2 Patna - 800001.



3. The District Manager, Bihar State Food and Civil Supplies Corporation Limited, Banka.

... .. Respondent/s

with

Request Case No. 53 of 2018

M/s Ram Janaki Modern Rice Mill Through Its Proprietor Sri Purushottam Narayan Thakur, Son of Late Priyabrat Thakur, Resident of Village-Sundarpur, P.S.- Basopatti, District- Madhubani.

... .. Petitioner/s

Versus

The District Manager, Bihar State Food & Civil Supplies Corporation Limited, Old LIC Campus, Madhubani, District- Madhubani.

... .. Respondent/s

with

Request Case No. 54 of 2018

M/s Saraswti Rice Mill Through Its Proprietor Smt. Usha Sharma, Sunil Kumar Sharma, Resident of Village- Riga, P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

The District Manager, Bihar State Food & Civil Supplies Corporation Limited, Old LIC Campus, Madhubani, District- Madhubani.

... .. Respondent/s

with

Request Case No. 55 of 2018

M/s Arya Nandini Rice Mill through its Proprietor Sri Arvind Kumar, Son of Mohan Prasad, Resident of village- Srirampur, P.S.- Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

The District Manager, Bihar State Food & Civil Supplies Corporation Limited, Old LIC Campus, Madhubani, District- Madhubani.

... .. Respondent/s

with

Request Case No. 58 of 2018

Surendra Kumar, S/o Rajeshwar Singh, R/o Vill.- Kosdihra Tola, P.S.- Baroon, Dist. - Aurangabad.

... .. Petitioner/s

Versus

1. The Bihar State Food Civil Supplies Corporation Limited through its M. D., Bihar at Patna.



2. The Managing Director Bihar State Food Civil supplies Corporation Limited, Bihar at Patna.
3. The District Manager, B.S.F.C., Aurangabad, Dist- Aurangabad.

... .. Respondent/s

Appearance :

(In Request Case No. 2 of 2018)

For the Petitioner/s : Mr. Krishna Mohan Mishra, Advocate
For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate

(In Request Case No. 3 of 2018)

For the Petitioner/s : Mr. Krishna Mohan Mishra, Advocate
For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate

(In Request Case No. 4 of 2018)

For the Petitioner/s : Mr. Krishna Mohan Mishra, Advocate
For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate

(In Request Case No. 5 of 2018)

For the Petitioner/s : Mr. Krishna Mohan Mishra, Advocate
For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate

(In Request Case No. 6 of 2018)

For the Petitioner/s : Mr. Krishna Mohan Mishra, Advocate
For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate

(In Request Case No. 7 of 2018)

For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate

(In Request Case No. 53 of 2018)

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate

(In Request Case No. 54 of 2018)

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate

(In Request Case No. 55 of 2018)

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate

(In Request Case No. 58 of 2018)

For the Petitioner/s : Mr. Brij Bihari Tiwary, Advocate
For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

4 01-08-2018 These matters are placed before the Court today in the light of certain developments that have taken place after orders were passed by the Hon'ble Supreme Court on 29.01.2018 in Special Leave to Appeal Case No. 450/2018.

These applications were seeking constitution of an Arbitral Tribunal in the matter of dispute that has arisen between



the applicant and the Bihar State Food and Civil Supplies Corporation in the matter of supply of rice and other products.

After hearing detailed argument and various objections, this Court appointed arbitrators in more than 200 cases and the arbitrators were seized of the matter. In the meanwhile, the Corporation approached the Hon'ble Supreme Court in Special Leave to Appeal No. 450/2018 and by a detailed order passed on 29.01.2018, even though Hon'ble Supreme Court upheld the order passed by this Court in the matter of constituting an Arbitral Tribunal and referring the matter for arbitration, but directed that not more than ten cases should be allotted to a single arbitrator. As a consequence of the aforesaid order passed, in cases where the arbitrators appointed by this Court on earlier occasions were allotted more than ten cases, they had returned the files to this Court after retaining ten cases for hearing of the matter. Considering the fact that there were not adequate number of arbitrators available for allotting ten cases as directed by the Hon'ble Supreme Court, this Court deemed it appropriate to direct the Registrar General of this Court to examine the availability of arbitrators, which included retired High Court Judges and retired Senior District Judges, so that allotment of ten cases to each arbitrator can be made



keeping in view the quantification of the claim of each party. Accordingly, the office of the Registrar General after conducting a detailed exercise has submitted a list of cases to this Court along with a list of arbitrators who can be appointed.

If any file has not been returned or has been retained by the earlier arbitrator, the Registrar General to obtain it and refer it to the new arbitrator.

Accordingly, these applications are allowed and now Hon'ble Mr. Justice (Retd.) R. N. Prasad is appointed arbitrator to adjudicate and deal with the issue in question.

The Arbitrator, in pursuance to this order, shall proceed in accordance with law.

(Rajendra Menon, CJ)

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