

IN THE HIGH COURT OF JUDICATURE AT PATNA
Request Case No.38 of 2018

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Binod Kumar Singh, aged about 47 years, Son of Sachchidanand Singh, Proprietor of M/s Maa Bhagwati Rice Mill, Resident of Village+P.O.- Deohalia, P.S.- Ramgarh, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The Bihar State Food & Civil Supplies Corporation Limited, Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna- 800001, through its Managing Director.
2. The Managing Director, Bihar State Food & Civil Supplies Corporation Limited, Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna- 800001.
3. The District Manager, Bihar State Food & Civil Supplies Corporation Limited, Kaimur.

... .. Respondent/s

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with
Request Case No. 39 of 2018

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Satyendra Singh, aged about 43 years, Son of Ram Avatar Singh, Proprietor of M/s Shivam Rice Mill, Resident of Village- Badaura, P.O.- Ramgarh, P.S.- Ramgarh, District- Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The Bihar State Food & Civil Supplies Corporation Limited, Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna- 800001, through its Managing Director.
2. The Managing Director, Bihar State Food & Civil Supplies Corporation Limited, Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna- 800001.
3. The District Manager, Bihar State Food & Civil Supplies Corporation Limited, Kaimur.

... .. Respondent/s

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with
Request Case No. 40 of 2018

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Deo Kumar Kapri @ Deo Kumar, aged about 32 years, Son of Arvind Kumar Kapri, Proprietor of M/s Maa Bhawani Rice Mill, Resident of Village- Daliya Bounsi, P.S.- Bausi, District- Banka.

... .. Petitioner/s

Versus

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



2. The Managing Director, Bihar State Food & Civil Supplies Corporation Limited, Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna-800001.
3. The District Manager, Bihar State Food & Civil Supplies Corporation Limited, Banka.

... .. Respondent/s

with

Request Case No. 41 of 2018

Uday Pratap Singh, aged about 51 years, Son of Ram Dayal Singh, Proprietor of M/s Shri Krishna Rice Mill, Resident of Village- Mahuar, P.O.- Sahuka, P.S.- Mahuwan, District- Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The Bihar State Food & Civil Supplies Corporation Limited, Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna- 800001, through its Managing Director.
2. The Managing Director, Bihar State Food & Civil Supplies Corporation Limited, Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna-800001.
3. The District Manager, Bihar State Food & Civil Supplies Corporation Limited, Kaimur.

... .. Respondent/s

with

Request Case No. 42 of 2018

Vijay Bahadur Singh, Proprietor of M/s Vijay Mini Rice Mill, S/o Late Loknath Singh, Resident of Village- Bandipur, P.O. & P.S.- Ramgarh, District- Kaimur (Bhabhua).

... .. Petitioner/s

Versus

1. The Bihar State Food & Civil Supplies Corporation Limited, through its Managing Director, Office at Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna- 800001.
2. The Managing Director, Bihar State Food & Civil Supplies Corporation Limited, Office at Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna- 800001.
3. The District Manager, Bihar State Food & Civil Supplies Corporation Limited, District- Kaimur.

... .. Respondent/s

with

Request Case No. 43 of 2018



Prahalad Prasad Sah @ Parhlad Prasad Sah, aged about 43 years, Son of Bodh Narayan Sah, Proprietor of M/s B.N. Traders, Resident of Village- Madhay Sanjha, P.S.- Sanjha, District- Banka.

... .. Petitioner/s

Versus

1. The Bihar State Food & Civil Supplies Corporation Limited, Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna- 800001, through its Managing Director.
2. The Managing Director, Bihar State Food & Civil Supplies Corporation Limited, Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna- 800001.
3. The District Manager, Bihar State Food & Civil Supplies Corporation Limited, Banka.

... .. Respondent/s

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with

Request Case No. 44 of 2018

=====

Vinod Kumar Singh, Proprietor of M/s Gurudev Rice Mill, S/o Sachchidanand Singh, Resident of Village- Harnathpur, P.S.- Mohania, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The Bihar State Food & Civil Supplies Corporation Limited, through its Managing Director, Office at Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna- 800001.
2. The Managing Director, Bihar State Food & Civil Supplies Corporation Limited, Office at Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna- 800001.
3. The District Manager, Bihar State Food & Civil Supplies Corporation Limited, District- Kaimur.

... .. Respondent/s

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with

Request Case No. 45 of 2018

=====

Madan Sah, aged about 42 years, Son of Shankar Sah, Proprietor of M/s Anand Rice Mill, Resident of Village- Motihat, P.S.- Barahat, District- Banka.

... .. Petitioner/s

Versus

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



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

... ... Respondent/s

with

Request Case No. 46 of 2018

Harihar Sah, aged about 65 years, Son of Shivbachan Sah, Proprietor of M/s Maa Vindhwashni Rice Mill, Resident of Village- Nasej, P.S.- Nasej, District- Kaimur (Bhabhua).

... ... Petitioner/s

Versus

1. The Bihar State Food & Civil Supplies Corporation Limited, Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna- 800001, through its Managing Director.
2. The Managing Director, Bihar State Food & Civil Supplies Corporation Limited, Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna- 800001.
3. The District Manager, Bihar State Food & Civil Supplies Corporation Limited, Kaimur.

... ... Respondent/s

with

Request Case No. 47 of 2018

Shyam Bihari Gupta, Proprietor of M/s Laxmi Bhagat Rice Mill, S/o Late Kishori Sah, Resident of Village- Rohuna, P.O. & P.S.- Durgavati, District- Kaimur (Bhabhua).

... ... Petitioner/s

Versus

1. The Bihar State Food & Civil Supplies Corporation Limited, through its Managing Director, Office at Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna- 800001.
2. The Managing Director, Bihar State Food & Civil Supplies Corporation Limited, Office at Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna- 800001.
3. The District Manager, Bihar State Food & Civil Supplies Corporation Limited, District- Kaimur.

... ... Respondent/s

Appearance :

(In Request Case No. 38 of 2018)

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

(In Request Case No. 39 of 2018)

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

(In Request Case No. 40 of 2018)



For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
 For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate
 (In Request Case No. 41 of 2018)
 For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
 For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate
 (In Request Case No. 42 of 2018)
 For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
 For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate
 (In Request Case No. 43 of 2018)
 For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
 For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate
 (In Request Case No. 44 of 2018)
 For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
 For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate
 (In Request Case No. 45 of 2018)
 For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
 For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate
 (In Request Case No. 46 of 2018)
 For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
 For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate
 (In Request Case No. 47 of 2018)
 For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
 For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

4 03-08-2018 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 Sri Madhusudan Singh, District Judge (Retired) 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)

P.K.P./R.S.Sen-

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