

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6739 of 2016

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1. Bina Devi Wife of Kul Prakash Proprietor M/S Maa Vindhya Vasini Rice Mill, Talab, Bikram, Gona, PS Bikram, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar through District Magistrate, District Patna.
2. The Bihar State Food and Civil Supplies Corporation Limited through its M.D. Bihar at Patna.
3. The District Manager, Bihar state Food and Civil Supplies Corporation Limited, Patna District Patna.
4. The District Certificate Officer, Paliganj, District Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh
For the Respondent/s : Mr. A.K. Rastogi
For BSFC : Mr. Shailendra Kr. Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2018 The learned counsel for the parties are in agreement that the contract/ agreement, from which the certificate proceedings arise as also from which the arbitral proceedings arise is one and the same, hence the further proceedings of the certificate case is required to be stayed till the final disposal of the arbitral proceedings pending before the learned Arbitrator namely Hon'ble Mr. Justice R.K. Dutta, a former Judge of this Hon'ble Court.

Having regard to the facts and circumstances of the case as also the well settled law to the effect that in case, disputes arising out of a contract/ agreement are pending



adjudication, no coercive steps can be taken for recovery of the outstanding amount, I deem it fit and appropriate to stay the further proceedings of Certificate Case no. 217 of 2014-15 pending before the Certificate Officer, Paliganj till the publication of award by the learned Arbitrator.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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