

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10451 of 2016

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M/s Ripuraj Agro Pvt. Ltd. through its Proprietor Ripu Raman son of Rameshwar Prasad Gupta, Resident of Village+P.O.- Koiria Tola, P.s.- Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, District- East Champaran.
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, East Champaran, District- East Champaran.
4. The District Certificate Officer, East Champaran, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh
For the BSFC	:	Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-11-2018 The learned counsel for the petitioner has produced a copy of the order dated 01.08.2018 passed by this Court in Request Case No. 03 of 2017 whereby and whereunder an arbitrator has been appointed to adjudicate upon the disputes arising out of an agreement, out of which, the certificate case also arises. In such view of the matter, the learned counsel for the submits that since the arbitral proceedings are pending, the certificate case be stayed since both the arbitral proceedings as well as the certificate proceedings arise out of one and the same agreement entered into with the respondents.

Having regard to the facts and circumstances, as also



having regarding to the well settled law that in case of pendency of statutory proceedings, no recovery proceedings can be resorted to, I deem it fit and proper to stay the further proceedings pertaining to Certificate Case No. 88 of 2013-14 pending before the Certificate Officer, Muzaffarpur till passing of the award by the learned arbitrator in the ongoing arbitral proceedings.

The present writ petition stands disposed of with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

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