

IN THE HIGH COURT OF JUDICATURE AT PATNA
Request Case No.207 of 2017

=====

M/s Mahakaleshwar Rice Mill through its Proprietor Smt. Shobha Devi wife of Raj Kumar Prasad @ Ram Babu Prasad Resident of Village - Patniya, P.S. - Riga, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The District Manager, Bihar State Food & Civil Supplies Corporation Limited, P.S. Shivahar, District Office- Shivahar.
2. The Managing Director, Bihar State Food & Civil Supply Corporation Limited, Patna.

... .. Respondent/s

with

Request Case No. 18 of 2018

=====

Shree Kant Sharma Son of Late Shyam Narayan Sharma Resident of Village - Hati, Police Station - Kako, District - Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Food and Consumers, Government of Bihar, Patna.
2. The District Collector/Magistrate, Jehanabad.
3. The Managing Director, Bihar State Food and Civil Supplies Corporation, Patna.
4. The District Manager, Bihar State Food and Civil Supplies Corporation, Jehanabad.

... .. Respondent/s

with

Request Case No. 32 of 2018

=====

Meera Chaturvedi, aged about- 44 years, wife of Suresh Chandra Chaturvedi, Proprietor of M/s Shubham Chawal Udyog Rice Mill, resident of Village- 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

with

Request Case No. 33 of 2018

Pramod Kumar Jaiswal, Proprietor of M/s Sheetla Mini Rice Mill, S/o Lalln Pd. Jaiswal, resident of Village- Mamadev, P.S.- Mohania, 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. 34 of 2018

Nandan Kumar Singh, aged about- 49 years, son of Lalluji Singh, Proprietor of M/s Maa Jagdamba Rice Mill, resident of Village- Gamhariya, P.S.- Rampur, 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. 35 of 2018

Mithilesh Singh @ Mithilesh Kumar, aged about- 31 years, son of Ramadhar Singh, Proprietor of M/s Mithilesh Kumar Rice Mill, resident of Village- Lasada, P.O.- Chhewari, 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 and Civil Supplies Corporation Limited, Kaimur.

... .. Respondent/s

with

Request Case No. 36 of 2018

Shankar Prasad Sah, aged about- 53 years, son of Sukhadev Sah, Proprietor of M/s Laxmi Interprises, resident of Village- Makramdih, Near Chopal, 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

with

Request Case No. 37 of 2018

Premnath Singh, aged about 52 years, Son of Ramchela Singh, Proprietor of M/s Maurya Traders, Resident of Village- Kalani, P.O.- Thakura, P.S.- Thakura, 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. 63 of 2018

Vijay Kumar, Son of Sri Pappu Saw, resident of Naya Bazar, P.S.- Lakhisarai,
District- Lakhisarai Proprietor of M/S New Bihar Mini Rice Mill, Lakhisarai.

... .. Petitioner/s

Versus

1. The Managing Director, Bihar State Food & Civil Supply Corporation Limited, Khadya Bhawan, Daroga Prasad Path, R- Block, Road No. 2, Patna-800001.
2. The District Manger, Bihar State Food & Civil Supply Corporation Limited, Lakhisarai.

... .. Respondent/s

with

Request Case No. 64 of 2018

Shyam Chand Kumar aged about 34 years, son of Late Ram Ekbal Sah,
Resident of village- Hari Bela, P.S.- Bathnaha, District- Sitamarhi, Proprietor
of M/s Shivam Rice Mill, Parsamahin, Sonbarsa, Sitamarhi.

... .. Petitioner/s

Versus

1. The Managing Director, Bihar State Food & Civil Supplies Corporation Limited, Patna.
2. The District Manager, Bihar State Food & Civil Supply Corporation Limited Sitamarhi.

... .. Respondent/s

Appearance :

(In Request Case No. 207 of 2017)

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

(In Request Case No. 18 of 2018)

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Respondent/s : Mr. S. Raza Ahmad (AAG 5)

(In Request Case No. 32 of 2018)

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

(In Request Case No. 33 of 2018)

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

(In Request Case No. 34 of 2018)

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

(In Request Case No. 35 of 2018)

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

(In Request Case No. 36 of 2018)

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

(In Request Case No. 37 of 2018)



For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate
(In Request Case No. 63 of 2018)
For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate
For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate
(In Request Case No. 64 of 2018)
For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate
For the Respondent/s : Mr. Shailendra Kumar Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

5 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 Sudhanshu Kumar Lal 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-

U			
---	--	--	--

