

IN THE HIGH COURT OF JUDICATURE AT PATNA
Request Case No.19 of 2018

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Vijay Chaudhary @ Vijay Prasad Chaudhary, son of Late Sita Ram Chaudhary, Resident of Bageshwar Asthan, P.S.- Sadar, District- Purnea, Proprietor of M/S Nidhi Rice Mill, Purnea.

... .. 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 Manager, Bihar State Food & Civil Supply Corporation Limited, Purnea.

... .. Respondent/s

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with
Request Case No. 23 of 2018

Nabab Singh, Son of Late Dayanand Singh, resident of Village- Sikaria, Police Station- Jehanabad Kodhauna, 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 & Civil Supplies Corporation, Patna.
4. The District Manager, Bihar State Food and Civil Supplies Corporation, Jehanabad.

... .. Respondent/s

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with
Request Case No. 24 of 2018

Ranjeet Kumar Jha, son of Late Vijay Nath Jha, resident of Saraiya, Ojhawalia, P.S.- Bairia, District- West Champaran, Proprietor of M/S Om Rice Mill, Saraiya Ojhawalia, Bairia, District- West Champaran.

... .. 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 Manager, Bihar State Food and Civil Supply Corporation Limited, West Champaran. null null

... .. Respondent/s

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with



Request Case No. 25 of 2018

Niranjan Poddar, aged about- 33 years, son of Mahadev Poddar, Proprietor of M/s Vishnu Rice Mill, resident of Village- Katiyama Kathrang, Banka, P.S.- Kathrang, 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. 26 of 2018

Rajesh Kumar Singh, aged about- 46 years, son of Ram Surat Singh, Proprietor of M/s Naga Baba Mini Rice Mill, resident of Village+ Post- Akhalasapur, P.S.- Bhabhua, 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. 27 of 2018

Amit Kumar, aged about- 32 years, son of Kamala Prasad Singh, Proprietor of M/s Suryamukhi Mini Rice Mill, resident of Village- Lalapur, Kudra, P.S.- Kudra, 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. 28 of 2018

Nand Kishore Singh, aged about- 49 years, son of Jay Govind Singh, Proprietor of M/s Maa Sharda Rice Mill, resident of Village- Derwan, P.S.- Kudra, 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. 29 of 2018

Ganesh Sah, son of Jhuri Sah, Proprietor of M/s Maa Mundeshwari Bhandar Milling Rice Mill, resident of Village- Gobarchh, P.O.- Pahariya, P.S.- Bhagwanpur, 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. 30 of 2018



Dipnarayan Sah, aged about- 62 years, son of Mahabir Sah, Proprietor of M/s Mahabir Rice Mill, resident of Village- Aliganj Gangti, Mohar Teli Lane, Mirjanhat, P.S.- Musaiadpur, District- Bhagalpur.

... .. 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, District- Banka.

... .. Respondent/s

with

Request Case No. 31 of 2018

Bajrang Kumar Sah @ Bajrangj Sah, aged about- 32 years, son of Rajendra Sah, Proprietor of M/s Rekha Rice Mill, resident of Village- Dafarpur, 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

Appearance :

(In Request Case No. 19 of 2018)

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate

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

(In Request Case No. 23 of 2018)

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Respondent/s : Mr. S. Raza Ahmad (AAG- 5)

(In Request Case No. 24 of 2018)

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate

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

(In Request Case No. 25 of 2018)

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

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

(In Request Case No. 26 of 2018)

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

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



(In Request Case No. 27 of 2018)

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

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

(In Request Case No. 28 of 2018)

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

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

(In Request Case No. 29 of 2018)

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

For the Respondent/s :

(In Request Case No. 30 of 2018)

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

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

(In Request Case No. 31 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 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.) Subhas Chandra Jha 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)

K.C.Jha/-

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