

IN THE HIGH COURT OF JUDICATURE AT PATNA

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

=====

Appearance :

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

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 09-02-2018

Keeping in view the orders earlier passed by this Court allowing similar applications and further the direction now issued by the Hon'ble Supreme Court on 29.01.2018 in Special Leave to Appeal (C) No. 450/2018 affirming the order passed by this Court in Request Case No.8 of 2016 on



19.04.2017, which reads as under:

“Heard learned counsel for the parties.

Delay condoned.

Having regard the facts and circumstances of the present case, we do not find any ground to interfere except to direct that one arbitrator should not have more than ten matters and arbitration proceedings in such ten matters must be concluded on day to day basis within a period of three months. Wherever an arbitration has taken cognizance in more than ten matters, matters beyond ten matters be referred back to the High Court for appointment of another arbitrator.

It is also made clear that pendency of arbitration proceedings will not affect criminal proceedings, including the investigation.

All arbitration proceedings will be carried out at Patna.

All contentions available under the law to the parties before the arbitrator are left open to be gone into by the Arbitrator in accordance with law.

The special leave petitions are, accordingly, disposed of.

Pending application(s), if any, shall also stand disposed of.”

this application is allowed, but keeping in view the restriction of only referring ten matters to an arbitrator, as directed by the Hon’ble Supreme Court in Special Leave to Appeal (C) No.



450/2018, Justice Subash Chandra Jha, a retired Judge of this Court, is appointed as the Arbitrator to deal with the issue in question.

(Rajendra Menon, CJ)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	14.03.2018
Transmission Date	

