IN THE HIGH COURT OF JUDICATURE AT PATNA

Request Case No.55 of 2018

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M/s Arya Nandini Rice Mill through its Proprietor Sri Arvind Kumar, Son of Mohan Prasad, Resident of village- Srirampur, P.S.- Raxaul, District- East Champaran.

.... Petitioner/s

Versus

The District Manager, Bihar State Food & Civil Supplies Corporation Limited, Old LIC Campus, Madhubani, District- Madhubani.

.... Respondent/s

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

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 31-01-2018

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 29.1.2018 affirming the order passed by this Court on Request Case No.8 of 2016 on 19.4.2017 which reads as under:

> "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.

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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 of 2018, Justice R.N. Prasad, a retired Judge of this Court is appointed as the Arbitrator to deal with the issue in question.

(Rajendra Menon, CJ)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	12-03-2018
Transmission Date	

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