

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1593 of 2018

In

Civil Writ Jurisdiction Case No. 9143 of 2016

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1. M/s Patna Offset Press, a registered partnership firm having its Registered office at- Naya Tola, Near Dharahara Kothi, P.S.- Kadam Kuan, P.O.- Bankipore, District-Patna through one of its partners- Sri Amit Kumar Singh, S/O Shri Ram Naresh Singh, resident of Mohalla- Naya Tola, Near Dharahara Kothi, P.S.-Kadam Kuan, P.O.-Bankipore, District-Patna.
 2. Sri Vinay Singh,
 3. Sri Amit Kumar Singh, Both S/O Shri Ram Naresh Singh,
 4. Smt. Supriti Singh, W/O Sri Shailesh Kumar Singh, All residents of Mohalla- Naya Tola, Near Dharahara Kothi, P.S.-Kadam Kuan, P.O.- Bankipore, District-Patna. All are partners of M/s Patna Offset Press, Registered Office at Naya Tola, Near Dharahara Kothi, P.S.-Kadam Kuan, P.O.- Bankipore, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar New Secretariat, Bailey Road, Patna.
2. The Chairman-cum- Principal Secretary, Education Department, Government of Bihar, New Secretariat, Bailey Road, Patna.
3. The Bihar Text Book Publishing Corporation Ltd. through its Managing Director, Pathya Pustak Bhawan, Budh Marg, Patna-1.
4. Mr. B.M.Patel, Managing Director, the Bihar Text Book Publishing Corporation Ltd., Pathya Pustak Bhawan, Budh Marg, Patna-1.
5. The Managing Director, the Bihar Text Book Publishing Corporation Ltd., Pathya Pustak Bhawan, Budh Marg, Patna-1.
6. The Bihar Education Project Council, through its State Project Director, Rastra Bhasha Parishar, Saidpur, Rajendra Nagar, Patna-800004.
7. The State Project Director, the Bihar Education Project Council, Rastra Bhasha Parishar, Saidpur, Rajendra Nagar, Patna-800004.
8. The Manager (Marketing & Sales), Sarva Shiksha, the Bihar Text Book Publishing Corporation Ltd., Pathya Pustak Bhawan, Budh Marg, Patna-1.
9. The Internal Committee, the Bihar Text Book Publishing Corporation Ltd., Pathya Pustak Bhawan, Budh Marg, Patna-1.
10. M/s Puja Printech Pvt. Ltd. Patliputra Industrial Estate, P.O. & P.S.- Patliputra, Patna-13
11. M/s Nav Bihar Media Pvt. Ltd. Patliputra Industrial Estate, P.O. & P.S.- Patliputra, Patna-13.

.... Opp.Party/s

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Appearance :

For the Petitioner/s : Mr. Vagisha Pragya Vacaknavi, Adv.
: Mr. Manu Tripurari, Adv.
For the State : Mr. Ashutosh Ranjan Pandey (AAG-15)
For the Opp. Party B.S.T.B. : Mr. Sandeep Kumar, Adv.
For the Opp. Party BEPC : Mr. Girijesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH



ORAL ORDER

3 06-09-2018 The learned for the parties are in agreement that on account of the earlier Arbitrator i.e. Hon'ble Mr. Justice Shyam Kishore Sharma, a retired Judge of this Court, having been appointed as the Principal Lokayukta of the State of Bihar, now a new Arbitrator is required to be appointed.

The learned counsel for the petitioners and the respondent nos. 3 to 5 have appeared before this Court while the other respondents have been duly served notice by Dasti mode, as directed by an earlier order of this Court dated 14.8.2018, in proof whereof a supplementary affidavit has been filed by the petitioners, which is taken on record.

It appears that non-appearing respondents have no objection to the present modification petition inasmuch as despite valid service of notice they have failed to appear. The learned counsel appearing for the petitioners and the respondents no. 3 to 5 are in agreement that Hon'ble Mr. Justice C.M. Prasad, a retired Judge of this Court, can be appointed as an Arbitrator.

In view of the aforesaid, the dispute, as directed to be decided by the sole arbitrator by an order dated 27.7.2018 passed by this Court in CWJC No. 9143 of 2016, shall now be decided by Hon'ble Mr. Justice C.M. Prasad, a retired Judge of this Court, who would now be sole Arbitrator in the present case.

Accordingly, the order dated 27.7.2016 passed in CWJC No. 9143 of 2016 shall stand modified to the aforesaid extent.

Let a copy of this order be communicated to Hon'ble Mr. Justice C.M. Prasad (Retd.) by the Registry of this Court.

The modification petition stands dispose of.

(Mohit Kumar Shah, J)

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