

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16538 of 2018

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Narendra Kumar Singh, Son of Late Mahabir Singh, Proprietor of M/s Shivam Rice Mill, Pokhrera, Resident of Village- Pokhrera, P.S.- Taraiyan, District- Saran.

.... Petitioner/s

Versus

1. The Food And Consumer Protection Department Through The Pincipal Secretary, Bihar at Patna.
2. The State of Bihar through District Magistrate, District- Saran (Chapra).
3. The Bihar State Food and Civil Supplies Corporation Limited through its M.D., Bihar at Patna.
4. The District Manager, Bihar State Food and Civil Supplies Corporation Limited, Saran (Chapra), District- Saran (Chapra).
5. The District Certificate Officer, Saran (Chapra), District- Saran (Chapra).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh
For the Respondent/s : Mr. S. Raza Ahmad- AAG-5
Mr. Alok Ranjan, AC to AAG-5
For the B.S.F.C. : Mr. Niraj Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 24-09-2018 The present writ petition has been filed for quashing the certificate Case No.08 of 2014-15, which has been filed for recovery of certain amount.

At the outset, the learned counsel for the petitioner submits that the agreement entered into between the petitioner and the respondents B.S.F.C. contains an Arbitration clause for resolution of the dispute, hence the petitioner had filed a Request case bearing Request Case No. 141 of 2017 and this Court by an order dated 08.09.2017 has been pleased to appoint an Arbitrator



for resolution of the disputes and the matter is pending adjudication before the learned Arbitrator.

The learned counsel for the respondents does not dispute the aforesaid position, hence it would be in the interest of justice to direct the District Certificate Officer, Saran, Chapra not to take any action against the petitioner for recovery of dues in Certificate Case No.08 of 2014-15 till resolution of dispute by the learned Arbitrator.

The writ petition is disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

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