

IN THE HIGH COURT OF JUDICATURE AT PATNA
Request Case No.81 of 2018

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Asha Devi, wife of Sri Shayam Babu, resident of Dumaria, P.O. Kishanganj,
P.S. Kishanganj, District Kishanganj, Proprietor of M/S Durga Modern Rice
Mill, Kishanganj.

... .. Petitioner

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, Kishanganj.

... .. Respondents

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Appearance :

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

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 13-07-2018

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 in Special
Leave to Appeal (C) No.450 of 2018 affirming the order passed
by this Court in 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.

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 by the Hon’ble Supreme Court on 29.01.2018 in Special Leave to Appeal (C) No.450 of 2018, Justice Smt. Mridula Mishra, a retired Judge of this Court, is appointed as the Arbitrator to deal with the issue in question.

(Rajendra Menon, CJ)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.07.2018
Transmission Date	

