

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.14 of 2019

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Kumari Archana Wife of Sri Ajay Kumar Proprietor, M/s. Ravipushp Filling Station, Surheri District Gaya permanently residing at Mohalla Janakpur, P.S. Muffasil, District Gaya.

... .. Petitioner/s

Versus

1. The Union of India and Ors through the Secretary, Petroleum and Natural Gas, New Delhi
2. The General Manager cum Head (Retail) East Bharat Petroleum Corporation Limited, Eastern Regional Office, Kolkata, West Bengal.
3. The Regional Manager cum State Head, Bharat Petroleum, Corporation cum State Head, Bharat Petroleum Corporation Limited Exhibition Road, Patna.
4. Sri J P Ghosh Son of not known the then Construction Engineer, Bharat Petroleum Corporation Limited Sipara, Patna..

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nagendra Sharma, Adv. Mr. Amar Prakash, Adv.
For the Respondent/s	:	Mr. Sanjay Singh, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 03-05-2019 Heard learned counsel for the applicant and Shri Sanjay Singh for the respondent Corporation.

The applicant had filed C.W.J.C. No.10323 of 2017 that was disposed of on 18th August, 2017 observing that since there was an arbitration clause available, the dispute raised by the applicant can be resolved through the said mechanism. Accordingly, through a judicial order, Hon'ble Justice V. Nath



was appointed as the sole arbitrator for the purpose of resolving the dispute. A letters patent appeal was filed and the order was upheld vide judgement dated 4.4.2018.

Another development took place that the sole arbitrator appointed declined to continue with the same on account of other engagements and, therefore, due to this recusal a fresh arbitrator had to be appointed for which a modification application was moved by the applicant that was disposed of on 20th November, 2018 by a Division Bench of this Court indicating that for such appointment an application shall have to be moved in accordance with the provisions of Arbitration and Conciliation Act, 1996. This is how the present application has been placed.

Having considered the submissions raised and in view of the arbitration clause as existing, I hereby appoint Hon'ble Justice Jitendra Mohan Sharma (a retired Judge of this High Court) as the sole arbitrator to proceed in the matter to enter upon the dispute and render his award. The Registrar General to take steps accordingly for information as well as for sending the records to the Arbitrator.

The parties shall appear before the arbitrator with a request for fixing a date in the month of June, 2019 itself.



The arbitrator is requested to dispose of the matter at
the earliest, keeping in view the statutory provision of 1996 Act.

(Amreshwar Pratap Sahi, CJ)

K.C.Jha/-

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