

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No. 23 of 2019

NBC and JK (JV)

... .. Petitioner/s

Versus

The East Central Railway

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Shailendra Kishore Singh, Adv. Mr. Nilanjan Chatterjee, Adv.
For the Respondent/s	:	Mr. Kumar Manish, Adv.

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 03-05-2019 Heard learned counsel for the applicant.

The applicant has come up invoking Section 11(6) of the Arbitration and Conciliation Act, 1996 for appointment of an arbitrator upon the failure of the respondent Railways in having accepted the request as per the demand raised and served on the Railways, annexed as Annexure- P/27 to the application.

Learned counsel submits that as per Clause 64 of the standard and general conditions of contract of the Railways, which has been appended along with the supplementary affidavit, the demand of arbitration having been made and not satisfied, this Court may proceed to appoint an arbitrator.

Having considered the submissions and having heard learned counsel for the Railways Shri Kumar Manish and in view of Clause 64 of the agreement and other terms of the



agreement, the dispute raised deserves to be resolved by an arbitrator.

Accordingly, invoking Section 11(6) of the Arbitration and Conciliation Act, 1996, I hereby appoint Mr. D.K. Sharma (a retired District Judge) as an Arbitrator 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 on 18th of June, 2019.

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)

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