

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVISION No.201 of 2019

1. The Bihar State Food and Civil Supplies Corporation Ltd. through its Managing Director, Bihar Patna.
2. The District Manager Bihar State Food and Civil Supplies Corporation Ltd. Kaimur, District Kaimur, Bhabua.

... .. Petitioner/s

Versus

Mohan Upadhyay Son of Late Sri Niwas Upadhyay Prop. of M/S Sarvshri Vijaya Rice Mill, Darvan, resident of Village Darvan P.S. Ramgarh District Kaimur, Bhabua.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT

Date : 15-11-2019

Heard.

This civil revision petition has been filed against the arbitral Award dated 06.08.2019 passed in Arbitration Case no.2 of 2018 arising out of Request Case No.84 of 2018 by which the sole arbitrator has allowed the claim of opposite party upon which arbitral Award was prepared under Section 31(7)(b) of Arbitration and Conciliation Act, 1996.

Aggrieved by Award, petitioners have preferred this civil revision under Section 115 of Code of Civil Procedure. The aggrieved party has remedy of filing an application under Section 34 of the Arbitration and Conciliation Act, 1996 for setting aside the award before the concerned District Judge as



such, present civil revision petition against said arbitral award is not maintainable.

Petitioners, if so advised, may file an application under Section 34 of the Arbitration and Conciliation Act, 1996 before the concerned District Judge for setting aside the arbitral award and if any such petition is filed by the petitioners the learned court shall exclude the period during which the civil revision petition remained pending in Hon'ble High Court while considering the delay in filing the application under Section 34 of the Arbitration and Conciliation Act, 1996 for setting aside the arbitral award.

This civil revision petition is disposed of.

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.01.2020
Transmission Date	NA

