

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.128 of 2018

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Jay Prakash Rajak Son of Late Jageshwer Rajak, resident of Gulab bagh,
Chandan Nagar Chowk, P.S.- Sadar, District- Purnea, Proprietor of M/s Jay
Prakash Rice Mill, Purnea.

... .. Petitioner/s

Versus

1. The Managing Director, Bihar State Food and Civil Supply Corporation Limited
2. The District Manger, Bihar State Food and Civil Supply Corporation Limited, Madhepura. null
3. The District Manger, Bihar State Food and Civil Supply Corporation Limited, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar, Adv.
For the BSFC : Mr.Niraj Kumar, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

6 19-02-2020 On 07.12.2018, this Court has passed the following
order:

“A report has been submitted by the Registrar General on 2nd of August, 2018 that Shri Sudhanshu Kumar Lal, District Judge (Retired) has also been allocated 10 cases and in that view of the matter, a fresh assignment would be required.

Accordingly, the Registrar General is now directed to transmit this case already allocated to the earlier Arbitrator to Shri Radha Krishna, Retired District Judge who shall enter upon the arbitration keeping in view the terms of the order passed by this Court on 3rd of August, 2018.”



It is stated across the Bar that the newly appointed Arbitrator, namely, Shri Radha Krishna, Retired District Judge is ineligible to adjudicate this case inasmuch as 10 cases has already been allocated to him, as such, a new Arbitrator is required to be appointed.

As such, with the consent of the parties, Sri Vikash Kumar Sharma, retired District & Sessions Judge is appointed as an Arbitrator to adjudicate the dispute inter se the parties.

Parties undertake to appear before the learned Arbitrator on 30.04.2020 and apprise him of passing of this order. They also undertake to fully cooperate and request the learned Arbitrator to complete the proceedings at the earliest, which request, this Court, hope, would be considered appropriately.

Let Registrar General ensure that a copy of this order is made available to the learned Arbitrator by 20th April, 2020.

The parties shall file their statement of claims before the learned Arbitrator on the next date of hearing.

Needless to add, that arbitral proceedings shall be held in consonance with the settled principles of law and the provisions of the Arbitration and Conciliation Act.

Learned Arbitrator shall be entitled to fee as per



schedule.

The petition stands disposed off in the aforesaid
terms.

(Sanjay Karol, CJ)

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