

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.173 of 2018

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M/s Rai Path Pariwahan Through Its Proprietor Suresh Rai Son of Late ram Naresh Rai, Resident of Mohalla-Mansa Pandey Bag, Police Station-Ara Town, District-Bhojpur at Ara.

... .. Petitioner/s

Versus

1. The Indian Oil Corporation Ltd. State Office, Patna.
2. The general Manager, Marketing Division, Lok Nayak Jai Prakash Bhawan, 5th Floor, Dakbungal Chawk, Patna.
3. The Senior Plant Manager, Indian Oil Corporation Ltd., Giddha Ara.
4. The Deputy Plant Manager, Indian Oil Corporation Ltd., Giddha Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Roy, Advocate

For the Respondent/s : Mr.Anil Kumar Sinha, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 13-04-2022

As per note prepared by the Registry, Shri Bidhu Bhushan Pathak, District & Sessions Judge (Retd.), who was appointed as an Arbitrator in terms of order dated 08.12.2021 to adjudicate the disputes *inter se* the parties, stands appointed as the President, District Consumer Commission, Patna, as such, he cannot adjudicate the dispute any longer.

Even on an earlier occasion, Shri Akhilesh Kumar Jain, (Retired) Legal Remembrance-cum-Law Secretary, who was appointed as an Arbitrator, but pursuant to his appointment as the Chairman of Bihar State Religious Trust Board, had expressed his inability to adjudicate the same.



In view of the attending facts and circumstances, name of the learned Arbitrator, as recorded in the order dated 08.12.2021, is substituted with that of Shri Dinesh Kumar Sharma, District Judge (Retired) on the same terms and conditions.

Ordered accordingly.

All pleas and issues raised, on merits, are left open to be considered and decided by the learned Arbitrator.

Learned Arbitrator shall be entitled to fees as per the provision of the Arbitration & Conciliation Act, 1996.

Since the dispute arises out of an agreement of the year 2012, the hearing be expedited.

Parties undertake to fully cooperate and not take any unnecessary adjournment.

It is expected of the learned Arbitrator to adjudicate the disputes expeditiously.

Joint Registrar (List) is directed to communicate the order to the learned Arbitrator.

Learned counsel for the parties also undertake to communicate the order to the newly appointed Arbitrator. In fact, they volunteered to appear before him on 30.05.2022 and apprise him of the passing of the order.



Parties shall file their statement of claims before
the learned Arbitrator on such date of hearing which he may fix,
as per mutual convenience.

(Sanjay Karol, CJ)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	09.05.2022
Transmission Date	

