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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1692 of 2019**

M/s Prakash Industries Limited, Through The Authorised Signatory Champa Plant, Champa- 495671, District-Janjgir-Champa, Chhattisgarh, Corporate Office, At Srivan, Bijawasan Road, Bijawasan, New Delhi- 110061, Registered Office, Registered Office At 15 Km Stone, Delhi, Road, Hissar, Haryana.

---- Petitioner**Versus**

1. Steel Authority of India Ltd. Through Its Managing Director Ispat Bhawan, Lodhi Road, Delhi- 110003.
2. Bhilai Steel Plant, Through Its C.E.O. Ispat Bhawan, Bhilai- 490001, Chhattisgarh.
3. Deputy General Manager I/c (CC-NW) Steel Authority of India Limited, Bhilai Steel Plant, Ispat Bhawan, Bhilai- 490001, Chhattisgarh.

---- Respondents

For Petitioner	: Ms. Ruchi Nagar, Advocate.
For Respondents	: Shri P.R.Patankar, Advocate.

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice
Hon'ble Shri Prashant Kumar Mishra, Judge

Order on Board**Per Prashant Kumar Mishra, Judge****09/05/2019**

1. The Petitioner would call in question the impugned communication dated 20.03.2019 (Annexure P/2) and the notice initiating arbitration issued by the Steel Authority of India Limited, Bhilai Steel Plant, on 10.04.2019 (Annexure P/3).
2. Without entering into merits of the dispute, as has occurred at this stage of the proceedings, suffice it would be to mention that the Conciliator has passed an order in terms of Section 69 of the Arbitration and Conciliation Act, 1996 closing the conciliation proceedings on the ground that the parties to the dispute have not agreed for the venue of conciliation.

3. During course of hearing in this writ petition, learned counsel for the parties would state upon instructions, that they have now agreed to appear before the Conciliators at Bhilai, Chhattisgarh.
4. Shri Patankar, learned counsel for the Respondents would additionally submit that the Conciliator appointed by the Steel Authority of India Limited was a serving officer, however, during interregnum, he has retired on 30.04.2019, therefore, the Steel Authority of India Limited may be permitted to appoint a new Conciliator. Having considered, we direct that the Steel Authority of India Limited would be at liberty to appoint a new Conciliator within the terms of the contract.
5. Let both the parties appear before the Conciliators on 17.05.2019 at 11:00 am. From the said date, the Conciliators shall complete the proceedings within the time frame of three months, as mentioned in clause 17 of the contract.
6. In view of this order which is passed with the consent of the parties, the impugned communication (Annexure P/2) and the notice (Annexure P/3) shall not be given effect to.
7. With the aforesaid observation and direction, this petition stands disposed off.

Sd/-
(P.R. Ramachandra Menon)
CHIEF JUSTICE

Sd/-
(Prashant Kumar Mishra)
JUDGE