

IN THE HIGH COURT OF JUDICATURE AT PATNA

CIVIL WRIT JURISDICTION CASE NO. 11886 of 2021

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Rajkumar son of Surendra Prasad (Proprietor of Dexterity Knitwear),
residence of South/ East Ramkrishna Nagar, Near Oon factor, P.S.
Ramkrishna Nagar, District Patna (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar & through Principal Secretary Finance Department,
Government of Bihar, Patna.
2. The Union of India.
3. ECL Finance Limited, Edelweiss House, Head office- C.S.T. Road, Kalina,
Mumbai-400098 (Maharashtra).
4. ECL Finance Limited, Flat no. 3, 2nd floor Konark Shree Apartment,
Exhibition Road, Patna-800001.

... .. Respondent/s

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Appearance:

For the Petitioner/s : Mr. Subodh Kumar, Advocate.
For the Respondent-State : Mr. Ajay Kumar Rastogi, AAG-10

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 08-09-2021 The instant case has been taken up for consideration
through the mode of Video conferencing in view of the
prevailing situation on account of COVID 19 Pandemic,
requiring social distancing.

The present writ petition has been filed for quashing
the Award dated 30.05.2021 passed by the learned Tribunal
comprising of Arif Mohammad Madani, Sole Arbitrator,
Mumbai in A No. ID-A001294 (EC Finance



Limited vs. Exterity Knitwear and other).

At the outset, realizing the fact that the Arbitral award is to be challenged before the Principal Civil Court of original jurisdiction as per section 34 of the Arbitration and conciliation Act, 1996, the learned counsel for the petitioner seeks liberty to approach the Civil court having competent jurisdiction for the purposes of challenging the aforesaid award dated 30.05.2021.

The learned Senior counsel for the respondent State Shri Ajay Kumar Rastogi, AAG-10 has got no objection.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed of as not pressed, however, with liberty to the petitioner to approach the appropriate Principal Civil Court of original jurisdiction.

(Mohit Kumar Shah, J)

Tiwary/-

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