

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.54 of 2020

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1. Avinash Kumar Son of Late Angeshwar Pd. Singh Resident of Mohalla-Bameshwar Bhawan, Dobhi Sherghari Road, Gewal Bigha More, P.S.-Rampur, District-Gaya
 2. Anurag Kumar Son of Late Angeshwar Pd. Singh Resident of Mohalla-Bameshwar Bhawan, Dobhi Sherghari Road, Gewal Bigha More, P.S.-Rampur, District-Gaya

... .. Petitioner/s

Versus

1. Sri Dwijendra Kumar Son of Late Deo Narayan Singh Resident of Mohalla-Ram Bhawan, Anand Bazar, Swaraj Puri Road, P.S.-Civil Lines, District-Gaya-823002.
2. Sri Dilip Kumar Resident of Mohalla- Ram Bhawan, Anand Bazar, Swaraj Puri Road, P.S.-Civil Lines, District-Gaya-823002.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Vikas Kumar, Advocate
For the Respondent/s	:	Mr.Ansul, Advocate
		Mr. Rajesh Ranjan, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 25-08-2021

Heard learned counsel for the parties.

This application under Section 11(6) of the Arbitration and Conciliation Act, 1996 has been filed praying for appointment of an Arbitrator to adjudicate the dispute between the parties.

In view of the arbitration clause being available in the



agreement, I find that the matter requires arbitration and, accordingly, invoking Section 11(6) of the Arbitration and Conciliation Act, 1996, I hereby appoint Hon'ble Mr. Justice Shivaji Pandey, Retired Judge of the Patna High Court, Patna as learned Arbitrator to adjudicate all disputes arising out of agreement dated 01.04.2000 entered into between the parties to the lis.

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 Fourth Schedule of the Arbitration Act.

Since the dispute arises out of an agreement of the year 2000, the hearing be expedited.

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

The proceedings, during the time of current Pandemic-Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode.

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 learned Arbitrator. In fact, they



volunteered to appear before him, through digital mode on 20th of September, 2021 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.

The Request Petition stands disposed of in the above terms.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	27.08.2021
Transmission Date	

