

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.69 of 2020

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Manoj Kumar Singh, Son of Badri Narayan Singh, Resident of Village-
Khangaon, P.S.- Pandaul, District- Madhubani.

... .. Petitioner/s

Versus

1. The Bihar State Food and Civil Supply Corporation Ltd., Daroga Prasad Rai Path, R-Block, Road No. 2, Patna- 800001, through its Managing Director.
2. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd., Khadya Bhawan, Daroga Prasad Path, R-Block, Road No.2, Patna- 800001.
3. The District Manager, Bihar State Food and Civil Supplies Corporation Ltd., Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh, Advocate
		Mr. Sanjay Kumar, Advocate
For the Respondent/s	:	Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date : 03-02-2021

This application has been moved seeking appointment of an Arbitrator invoking the powers of this Court under Section 11(6) of the Arbitration and Conciliation Act, 1996.

There is no dispute about-(a) the legality, validity and binding effect of the agreement dated 30.09.2016 entered into between the parties to the lis [Annexure-2]; (b) the



existence of arbitration clause contained therein; (c) the existence of dispute(s) arising there from.

Before this Court it is not disputed that an attempt for amicable settlement was made but dispute could not be resolved.

Parties jointly prayed that the dispute emanating out of the agreement, civil in nature, be referred to the Arbitrator.

At this stage, learned counsel for the parties jointly prayed that a retired Judge of the Patna High Court, namely, Hon'ble Mr. Justice Navaniti Prasad Singh [Former Chief Justice, Kerala High Court] be appointed as an Arbitrator to adjudicate the dispute.

No other plea raised or pressed.

Ordered accordingly.

Petition stands disposed of in the following terms:

(a) Dispute inter se the parties emanating out of the agreement dated 30.09.2016 (Annexure-2) executed between the petitioner and the respondents is referred for arbitration to Hon'ble Mr. Justice Navaniti Prasad Singh [Former Chief Justice, Kerala High Court];

(b) the proceedings, as parties agreed, can be conducted through the mode of video conferencing;



(c) parties undertake to appear before the learned Arbitrator on 22nd of February, 2021 through virtual or physical mode.

(d) during the period of current Pandemic Covid-19, subject to the convenience, arbitral proceeding can commence and conclude using facility of video conferencing/other electronic mode.

(e) parties shall fully co-operate and not take any unnecessary adjournment;

(f) parties undertake to apprise the learned Arbitrator of the passing of the order;

(g) this Court is hopeful that the dispute shall be adjudicated at the earliest;

(h) learned Arbitrator shall be entitled to fee as per the prescribed schedule;

(i) learned Registrar General shall ensure that a copy of this order is made available to the learned Arbitrator;

(j) parties shall file their statement of claim before the learned Arbitrator on such date of hearing which he may fix, as per mutual convenience;

(k) no order as to costs;

The present petition stands disposed of in the



aforesaid terms.

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

(Sanjay Karol, CJ)

Amrendra/P.K.P.

AFR/NAFR	
CAV DATE	
Uploading Date	05.02.2021
Transmission Date	

