

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.51 of 2021

1. M/S Bhukkad Baba, a partnership firm constituted under provisions of Indian Partnership Act, having its business place at Indralok Palace, Boring Canal Road (near Lalita Hotel), PS- Kotwali, District- Patna.
2. Aman Kumar, Partner of M/S Bhukkad Baba, Resident of Flat No. G-4, S.S. Square Apartment, Khajpura, District- Patna - 800014.

... .. Petitioner/s

Versus

Neha Verma, partner of M/S Bhukkad Baba, petitioner no. 1 and Wife of Dr. Alok Verma, resident of Dalvar House, PO and PS - Danapur, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Jitendra Kumar, Advocate
For the Respondent/s	:	Mr. Ajay Kumar Sinha, Sr. Advocate
		Mr.Arun Kumar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 30-03-2022

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.

Today, there is no dispute about-(a) the legality, validity and binding effect of a written agreement dated 01.08.2019 entered into between the parties to the *lis*; (b) the existence of arbitration clause contained therein; (c) the existence of dispute(s) arising there from; (d) the dispute arisen out of the agreement being civil in nature and (e) no legal impediment in the adjudication of the dispute by the learned



Arbitrator.

Parties mutually agree for appointment of an Arbitrator. In fact, they themselves have suggested the name of Shri Dinesh Kumar Sharma, District & Sessions Judge (Retired) to adjudicate the disputes.

The dispute arose out of execution of Agreement dated 01.08.2019. The agreement contained an arbitration clause, whereby the parties agreed for reference of the dispute *inter se* the parties, arising out of the said agreement, for arbitration as per law.

As such, as jointly prayed for, Shri Dinesh Kumar Sharma, District & Sessions Judge (Retired) is appointed as learned Arbitrator to adjudicate all disputes arising out of agreement dated 01.08.2019 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 fee as per the schedule.

Since the dispute arises out of an agreement of the year 2019, the hearing be expedited.

Parties undertake to fully cooperate and not take



any unnecessary adjournment.

It is expected of the learned Arbitrator to decide the issues 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/physical mode on 25.04.2022 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.

The Request Petition stands disposed of in the above terms.

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

(Sanjay Karol, CJ)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	04.04.2022
Transmission Date	

