

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19819 of 2019

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Rajesh Kumar Sharma S/o Shri Vyas Sharma R/o Village-Chiljhapti, P.S.
Sugauli, District-East Champaran (Motihari)

... .. Petitioner/s

Versus

1. The H.D.F.C. Bank Ltd. having its registered office at H.D.F.C. Bank House, Senapati Bapat Marg, Lower Parel (West) Mumbai-400013
2. The Branch Manager H.D.F.C. Bank Ltd, Motihar Branch, P.S. Town Motihari, District-East Champaran
3. The Branch Manager H.D.F.C. Bank Rajendra Ram Palaza, IInd Floor, Exhibition Road, Patna-800001
4. The Sonalika Tractor Dealer Bharat Krishi Kendra, N.H. 28A, Chhatauni Chowk, P.S. Chhatauni, District-East Champaran through its Proprietor Shri Anil Kumar Bohra
5. H.D.F.C. ERGO General Insurance Company Ltd. through its General Manager, 6th Floor, Business Park, Andheri Kurla Road, Andheri (East), Mumbai-400059

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Respondent/s : Mr. Dayanand Singh. Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 12-12-2022 Petitioner has prayed for the following relief(s):-

“That by way of this writ petition the petitioner craves indulgence of this Hon'ble Court for issuance of the writ in the nature of certiorarito quash the arbitral award dated 03.10.2016 passed by the sole Arbitrator Sri Rana Bikram Singh in Arbitration case no.1525 of 2016, Ex-parte without valid service of notice and without



giving opportunity of to the petitioner, as well as to take appropriate action against the responsible respondents and the petitioner further pray for any other consequential relief for reliefs for which the petitioner is entitle of law.”

Learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petition reserving liberty to challenge the award dated 03.10.2016 passed in Arbitration Case No.1525 of 2016 by Sole Arbitrator in accordance with law i.e. The Arbitration and Conciliation Act, 1996.

Permission granted.

As and when the petitioner takes recourse to such remedies, we are hopeful that the authority concerned shall take a decision expeditiously, in accordance with law, preferably within a period of six months from the date of its institution.

Needless to add, period for which the petitioner has been pursuing the matter before this Court, shall be excluded for the purpose of computing limitation.

It is made clear that we have not expressed any opinion on merits. All issues of fact and law are left open.

The petition stands disposed of as withdrawn with the liberty aforesaid.



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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Bibhash/KCJha

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