

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1646 of 2018**

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The Bihar State Food and Civil Supplies Corporation Ltd.

... .. Petitioner/s

Versus

M/s Bishnu Traders, Proprietor, Umesh Prasad Gupta Son of Dwarika Prasad
Gupta R/o Mahrawa, P.S. Mahrawa, District-East Champaran at Motihari

... .. Respondent/s

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Appearance :

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

For the Respondent/s : Mr.Vishal Vikram Rana, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 12-09-2023

Heard the parties.

2. This application has been filed for quashing of order dated 18.02.2017 passed by learned District Judge, East Champaran at Motihari in Civil Misc. Case No. 08 of 2017.

3. From reading of the impugned order dated 18.02.2017 passed by learned District Judge, East Champaran at Motihari in Civil Misc. Case No. 08 of 2017, it appears that the same is not sustainable. It is an admitted position that the jurisdiction for filing Section 34 of Arbitrator and Conciliation Act in Patna not in Motihari. Therefore, the records of the case pending in the Court of learned District Judge, East Champaran at Motihari in Civil Misc. Case No. 08 of 2017 is transferred from the court of learned District Judge, East Champaran at Motihari to the District Judge, Patna.

4. The District Judge, Patna is directed to decide the



Civil Misc. Case No. 08 of 2017 within six months and file a compliance report to this Court from the date of receipt/communication of a copy of this order. The District Judge, Patna will not transfer the case to any additional District Judge but will decide the case himself. While deciding Section 34 of Arbitrator and Conciliation Act, the District Judge, Patna will first decide the issue of limitation raised by the claimant.

5. With the aforesaid observation and direction, this application is disposed of.

(Sandeep Kumar, J)

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