

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18916 of 2016

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M/s Tara Food Processing

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sushmita Mishra
For the Respondent/s	:	Mr.Sanjay Kr.Giri-Gp9
For the BSFC R. No. 4-5:	:	Mr. Shailendra Kr. Singh
	:	Mr. Utkarsh Utpal

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL ORDER

- 3 29-07-2024
1. Heard the Learned counsel for the parties.
 2. The petitioner has filed the instant writ application for the following reliefs:-

“ For the issuance of a rule in the nature of Writ of Mandamus for commanding respondent No. 3, the District Magistrate, Banka for disposing of Arbitration case No. 21/15-16 which was filed pursuant to the order dated 04.09.2014 passed in CWJC No. 14536 of 2014 and contemplated in Clause 16 of the Argument in between the petitioner and the respondent Bihar State Food Corporation (For short- the Corporation) and is pending



before respondent No. 3 since last two years and also for commanding him to at least dispose of the petition dated 14.08.2015 filed under Section 17 of the Arbitration & Conciliation Act, 1996 (For short- The Act) for interim protection of the petitioner against demand for recovery of the disputed amount involved in Certificate Case No. 14/14-15 pending before respondent No. 6, Certificate Officer, Banka which is the subject matter of Arbitration Case No. 21/15-16.”

3. At the outset, the Learned counsel for the respondents reported to this Court that since this matter is squarely covered by the judgment of this court dated 22.07.2024 passed in **C.W.J.C. No. 7736 of 2014 (M/s Shiva Industries Vs. the State of Bihar and ors)**, this Writ petition may also be disposed of on the same terms and conditions.

4. Having regard to the fact that Certificate Case No. 14/2014-15 is pending against the petitioner and that inter-party agreement between the petitioner and the Corporation had contained a clause for recovery of the amount by way of certificate proceeding, this Court would hold the present case to be squarely covered by the aforesaid judgment.

5. Accordingly, this Writ application is also disposed



of in the same terms done in the case of **M/s Shiva Industries**
(supra).

(G. Anupama Chakravarthy, J)

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