

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.34 of 2024

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Titu Badwal, Son of Late Sohan Singh, Resident of Mohallah - Professors' Colony, Milan Patty, Kishanganj, Police Station - Kishanganj (Muffasil), District - Kishanganj (Mufassil).

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Building Construction Department, Government of Bihar, Nirman Bhawan, Bailey Road, Patna.
2. The Executive Engineer, Gardanibagh, Building Division, Behind Officers' Flats, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Uma Shankar Tiwary, Advocate
For the Respondent/s	:	Mr. P.K. Shahi, Advocate General
		Mr. Additional Advocate General 9

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 28-06-2024

The short question raised herein is the extension of time for completing the arbitration.

2. On an interpretation of Section 29A of the Arbitration and Conciliation Act, 1996, the Hon'ble Supreme Court in Special Leave to Appeal (C) No(s). 10544/2024 (Chief Engineer (NH) PWD (Roads) v. M/s BSC & C and C JV) has held as follows:-

“The power under sub-section (4) of Section 29A of the Arbitration Act vests in the Court as defined in Section 2(1)(e) of the Arbitration Act. It is the principal Civil Court of original jurisdiction in a district which includes a High Court provided the High Court has ordinary original civil



jurisdiction.”

3. In the above circumstances, even going by the decision of the Hon’ble Supreme Court in *Kunhayammed & Ors. vs State Of Kerala & Anr.; (2000) 6 SCC 359*, though a dismissal of the S.L.P., the direction as extracted herein is binding under Section 141 of the Constitution of India.

4. Hence, the request case is closed leaving the parties to approach the principal Civil Court of original jurisdiction.

(K. Vinod Chandran, CJ)

P.K.P./-

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CAV DATE	
Uploading Date	01.07.2024
Transmission Date	

