

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.303 of 2019

In
Civil Writ Jurisdiction Case No.16538 of 2018

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1. The Bihar State Food and Civil Supplies Corporation Limited and Anr Bihar, Patna
 2. The District Manager, Bihar State Food and Civil Supplies Corporation Limited, Saran (Chapra), District- Saran (Chapra)

... .. Appellant/s

Versus

1. Narendra Kumar Singh, Son of Late Mahabir Singh Proprietor of M/S Shivam Rice Mill Pokhrara, Resident of Village- Pokhrara, P.S.- Traiyan, District- Saran
2. The Food and Consumer Protection Department, through the Principal Secretary, Bihar, Patna
3. The State of Bihar through District Magistrate, District- Saran (Chapra)
4. The District Certificate Officer, Saran (Chapra) District Saran (Chapra)

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shailendra Kumar Singh, Advocate
For the Respondent/s : AAG 5

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

8 01-08-2024 The Bihar State Food and Civil Supplies Corporation

is in appeal from an order of the learned Single Judge which noticed that in a request case the very dispute which was agitated in the writ petition was allowed by appointment of an Arbitrator. The learned Single directed the recovery steps under the certificate proceedings to be kept in abeyance till the arbitration is over. As of now the arbitration award is passed on



14.7.2019.

2. In such circumstances we do not find any reason to interfere with the impugned judgment. The learned Single Judge specifically directed that the recovery shall be subject to the proceedings before the Arbitrator which is now concluded. If there is any liability incurred on the respondents in the arbitration, the appellants would be entitled to proceed, subject to any further challenge made to the award.

The appeal stands closed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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