

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.88 of 2024

M/s Larsen and Toubro Limited a Company within the meaning of Section 2 (20) of the Companies Act, 2013, having its registered Office at L and T House, Narottam Morarjee Marg, Bllard Estate, Mumbai - 400001, India acting through its Water And Effluent Treatment IC having its Kolkata Cluster Office at Godrej Water Side, Tower II, 11th Floor, DP- 5, Sector- V, Salt Lake, Kolkata - 700091, India, Water and Effluent Treatment IC at, Post Box No. 979, Mount Poonamallee Road, Manapakkam, Chennai- 600089 through its authorised representative (Construction Manager) Tamal Saha, aged about 45 years, Male, S/o Gopaldas Saha, R/o Farm Side Road, 2nd Lane Chinchuraha (P) Chinsurah Rs Hooghly West Bengal - 712102,

... .. Petitioner/s

Versus

1. The State of Bihar through its Secretary, Urban Development and Housing Department, Govt. of Bihar with its Office situated at Vikas Bhawan, Bailey Road, Patna, Bihar - 800001.
2. Patna Smart City Limited a Public Limited Government Company within the meaning of Section 2 (45) of The Companies Act, 2013, having its registered Office at 4th Floor, ICCC cum PSCL Building, SSP Office Campus, North Gandhi Maidan, Patna - 800001 through its Managing Director.
3. Patna Municipal Corporation through the Municipal Commissioner, Second Floor, Block - C, Maurya Lok, Budddha Marg, Patna - 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mrigank Mauli, Sr. Advocate Mr. Sanket Tiwari, Advocate Mr. Navin Kumar Singh, Advocate
For the Respondent/s	:	Mr. Lalit Kishore, Sr. Advocate Mr. Ayush Kumar, Advocate Mr. Kanishka Shankar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT
Date : 19-12-2024

Heard learned counsel for the parties.

2. This application has been moved seeking appointment



of an Arbitrator invoking the powers of this Court under Section 11(6) of the Arbitration and Conciliation Act, 1996.

3. Petitioner and the respondent entered into an agreement dated 18.12.2018 (Annexure-P/1). The petitioner invoked the arbitration clause *vide* communication dated 30.03.2024 (Annexure-P/21) for appointment of an arbitrator, but to no avail.

4. It is pleaded that the respondents have not settled the dispute till date and the dispute is of civil in nature.

5. As such, Hon'ble Mr. Justice Jyoti Saran, a former Judge of the Patna High Court, is appointed as learned Arbitrator to adjudicate all disputes arising out of agreement entered into between the parties to the *lis*.

6. All pleas and issues raised, on merits, are left open to be considered and decided by the learned Arbitrator.

7. The learned Arbitrator shall be entitled to fee as per the schedule of the Act.

8. Since the dispute arises out of an agreement of the year 2018, the hearing be expedited.

9. The issue of limitation, if any, is left open to be raised before the Arbitral Tribunal.

10. Joint Registrar (List) is directed to communicate the order to the learned Arbitrator.

11. Learned counsel for the parties also undertake to communicate the order to the learned Arbitrator.



12. The Arbitral Tribunal shall issue notice to the respondents.

13. The Request Petition stands disposed of in the above terms.

(K. Vinod Chandran, CJ)

sharun/-

AFR/NAFR	
CAV DATE	
Uploading Date	20.12.2024
Transmission Date	

