

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.82 of 2023

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Mrs. Shakuntala Devi Wife of Shri Algu Singh, Mainpura, Danapur Cantt.,
Danapur, Patna - 801503.

... .. Petitioner/s

Versus

1. M/s Astik Buildcon Pvt. Ltd registered office - 303, Block - B, Vidyanand Maheswari Complex, Judges Colony, Saguna, P.S. - Danapur, District - Patna.
4. Shri Kausher Khan, s/o Jahir Hussain Khan, resident of Flat No. 207, S.S. Enclave, Aashiyana Main Road, Patna - 14 (Director).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kumar Ruchikar Jha, Advocate
For the Respondent/s : Mr. Ankit Katriar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date : 06-12-2024

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.

2. Petitioner and the respondent entered into an agreement dated 11.09.2014 (Annexure-1). The said agreement contains an arbitration clause. The petitioner wrote letters to the respondent for resolution of the dispute and also issued legal notice dated 05.05.2023 (Annexure-3), but to no avail.



3. Despite granting sufficient time there is no reply filed by the respondent.

4. As such based on the materials on record, this Court appoints, Sri Manoj Kumar Sinha, District & Sessions Judge (Retd.), as learned Arbitrator to adjudicate all disputes arising out of the agreement entered into between the parties to the *lis*.

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

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

7. Since the dispute arises out of an agreement of the year 2014, the hearing be expedited.

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

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

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

11. The Arbitral Tribunal shall issue notice to



the respondents.

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

(K. Vinod Chandran, CJ)

aditya/-

AFR/NAFR	
CAV DATE	
Uploading Date	09.12.2024.
Transmission Date	

