

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.111 of 2023

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M/s SA Tech Software (I) Pvt. Ltd. through its State Head, Namely Rishabh Priyadarshi (Aged about 36 Years, Male) Son of Arun Kumar Sinha, having its Registered Local Office at 218, Patliputra Colony, Town and District- Patan, registered aoffice at Mantri S.no. 197, H. No. 2, 4 B to 7B, Nagar Road, Viman Nagar, Pune-411014, Maharashtra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Rural Development, Patna. Bihar.
2. The Secretary, Department of Rural Development, Govt. of Patna. Bihar.
3. Bihar Rural Livelihood Promotion Society (JEEVIKA) Patan through its Chief Executive Officer-Cum-Mission Director, Office at Vidyut Bhawan, Annexe-II, Vidyut Bhavan, Bailey Road, Patna 800021, Bihar.
4. Director, Bihar Rural Livelihood Promotion Society (JEEVIKA), Patna, Vidyut Bhawan, Annexe-II, Vidyut Bhavan, Bailey Road, Patna 800021, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Mr. Rakesh Kumar Sharma, Advocate
For the Respondent/s	:	Mr. P.K. Shahi, AG Mr. Abhinav Srivastava, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 06-12-2024

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 31.12.2018 (Annexure-P/2) and supplementary agreement dated 15.03.2021 (Annexure-P/4). The General



Condition of Contract of the agreement dated 31.12.2018 (Annexure-P/2) contains an arbitration clause as Clause 45.1. The petitioner wrote letters to the respondent for resolution of the dispute and also issued legal notice dated 05.06.2023 (Annexure-P/8), but to no avail.

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

5. As such, Mr. Shailendra Kumar Singh, a practicing Advocate of the Patna High Court, residing at- 2B, Shanti Shree Apartment, G.D. Mishra Path, New Patliputra, Patna-800013, Mob no. 9334894782 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 and 2021, 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)

aditya/-

AFR/NAFR	
CAV DATE	
Uploading Date	09.12.2024.
Transmission Date	

