

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.17 of 2024

M/s Vijeta Projects and Infrastructure Ltd. A company incorporated under the provisions of Companies Act, 1956 having its Registered Office at Morabadi Maida, Ranchi through its Constituted Attorney and General Manager Project, Anuranjan Kumar Rakesh, Male, Aged about 57 years, Son of Shri Prabhudeo Narayan Singh, Resident of Flat no. 402, Sri Bhagwan Kunj Apartment, Boring Road, P.S. S.K. Puri, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Water Resources, Government of Bihar, Patna.
2. The Chief Engineer, Department of Water Resources, Govt. of Bihar, Anishabad, Patna.
3. The Superintending Engineer, Planning and Monitoring Cell, Water Resources Department, Govt. of Bihar, Patna.
4. The Superintending Engineer, Punpun Flood Control Division, Anishabad, Patna.
5. The Executive Engineer, Department of Water Resources, Flood Control Division Mokamah, Camp- Bakhtiyarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Alok Agrawal, Advocate
For the Respondent/s	:	Mr. P. K. Shahi, Advocate General Mr. Vikas Kumar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 05-07-2024 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)

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