

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.58 of 2024

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M/S Shivam Enterprises Through its partner Mr. Phanindra Kumar Shukla, Male, aged about 57 years, Son of Sri Rajendra Shukla, Office situated at Road No.-1, East Patel Nagar, Police Station- Shastri Nagar, District- Patna, Pin code- 800023.

... .. Petitioner/s

Versus

1. The State of Bihar Through its Principal Secretary, Department of Tourism and Development, Government of Bihar, Patna.
2. The Special Secretary-cum-Managing Director Bihar State Tourism Development Corporation Ltd. Veerchand Patel Path, Patna.
3. The General Manager Bihar State Tourism Development Corporation Ltd. Veerchand Patel Path, Patna.
4. The Manager, Hotel and Lease Bihar State Tourism Development Corporation Ltd. Veerchand Patel Path, Patna.
5. The Incharge Rope Way Rajgir, District- Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Digvijay Narayan Singh, Advocate
For the Respondent/s	:	Ms. Anukriti Jaipuriyar, Advocate
		Mr. Rajnikant Kumar, Advocate
		Ms. Priti Mahato, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

ORAL JUDGMENT

Date : 18-04-2025

Heard Mr. Digvijay Narayan Singh, the learned Counsel for the petitioner and Ms. Anukriti Jaipuriyar, the learned Counsel for the respondent/Bihar State Tourism Development Corporation Ltd.

2. The petitioner has invoked the jurisdiction of this Court under Section 11(6) of the Arbitration and Conciliation Act, 1996 for appointment of an Arbitrator for



adjudication of the dispute arising out of an agreement entered into between the parties to the *lis*. There is existence of arbitration under Clause 39 of the agreement, to which the parties are signatories.

3. A consensus name has been suggested to this Court for appointing Hon'ble Mr. Justice Shailesh Kumar Sinha, a former Judge of this Court, as the learned Arbitrator.

4. As such Hon'ble Mr. Justice Shailesh Kumar Sinha, a former Judge of this Court, is appointed as the learned Arbitrator to adjudicate all disputes arising out of agreement between the parties.

5. All pleas and issues raised, on merits, are left open to be considered and decided by the learned Arbitrator. He shall be entitled to fee as per the schedule of the Act.

6. Since the dispute arises out of an agreement of the year 2016, it is expected that the hearing of the issues shall be expedited. If there is any issue arising out of limitation, it is also left open for the Arbitral Tribunal to decide.

7. The Joint Registrar (List) would communicate



the order to the learned Arbitrator.

8. The learned counsel for the parties also undertake to communicate the order to the learned Arbitrator.

9. The Arbitral Tribunal shall issue notice to the parties.

10. The Petition thus stands disposed off accordingly.

(Ashutosh Kumar, ACJ)

Sujit/Saurav

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.04.2025
Transmission Date	NA

