

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.104 of 2023

Karnataka State Electronics Development Corporation Ltd. having its office at 2nd Floor, TTMC A Block, BMTC, Shanthinagar, K.H. Road, Bengaluru, Karnataka- 56027 through its authorized signatory Maruthi M, Male, Aged about 58 years, S/o T Munikrishnappa, R/o 30, 1st Main 1st Cross, Congress Office, Kanaka Nagar, Yelachenahalli, Bangalore South, Bangalore, Karnataka- 560078.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. State of Bihar, through the Secretary, Prohibition, Excise and Registration Department, Bihar, Patna.
3. Development Commissioner- cum- Chairman, BSBCL, Bihar, Patna.
4. BSBCL, through its Managing Director, Bihar, Patna.
5. The Excise Commissioner, Prohibition, Excise and Registration Department, Bihar, Patna.
6. Managing Director, Bihar State Electronics Development Corporation/BELTRON, Bihar, Patna.
7. Deputy Commissioner- cum- Nodal Officer, Prohibition, Excise and Registration Department, Bihar, Patna.
8. General Manager, BSBCL, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Dhananjay Kumar, Advocate Mr. Kumar Amit, Advocate
For the State	:	Mr.Raghwanand (GA 11)
For the Beltron	:	Mr. Girijish Kumar, Advocate
For the BSBCL	:	Mr. Vikas Kumar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 10-01-2025

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 16.01.2017 (Annexure-P1). The petitioner invoked the arbitration clause *vide* communication dated 18.07.2023 (Annexure-13 series) 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 Rakesh Kumar, a former Judge of this 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 2017, the hearing be expedited.

9. The issue of limitation, if any, along with any other objections, are 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)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	10.01.2025
Transmission Date	

