

ITEM NO.46

COURT NO.13

SECTION XVI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 18809/2026

[Arising out of impugned judgment and order dated 23-04-2026 in CMJ No. 1178/2025 passed by the High Court of Judicature at Patna]

M/S B PRASAD AND CO.

Petitioner(s)

VERSUS

THE EXECUTIVE ENGINEER (C)

Respondent(s)

IA No. 163718/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 163716/2026 - EXEMPTION FROM FILING O.T.

Date : 09-10-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE ARUN PALLI

For Petitioner(s) Mr. Shaurya Sahay, AOR
Mr. Aman Jaiswal, Adv.
Ms. Sharvi Sharma, Adv.

For Respondent(s) Mr. Uddyam Mukherjee, AOR
Mr. Swapnil Pattanayak, Adv.
Ms. Kratika Kushwaha, Adv.
Ms. Meghna Nag, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. The present petition calls in question the correctness of the order dated 23-04-2026 in CMJ No. 1178/2025 passed by the High Court of Judicature at Patna. By the said order, the High Court while staying the Execution Case No.284/2022, also directed the expeditious disposal of the petition filed under Section 34 of the Arbitration and Conciliation Act, 1996 (for short, A&C Act') by the respondent(s) challenging the award dated 10.05.2014 in the following terms:-

"32. The aforesaid petitions filed by the petitioners

must be disposed of expeditiously and latest by 80 working days of the concerned District Court before whom the aforesaid cases are pending so that the statutory provisions under Sections 34(6) as well as direction of the Hon'ble Apex Court in Civil Appeal Nos. 3640-3642 of 2025 may be complied in its right perspective. Both the parties are also directed to cooperate in the hearing and speedy disposal of the aforesaid petitions. The aforesaid period of 80 days shall be counted from the date of receipt/production of a copy of this judgment."

2. Heard Mr. Shaurya Sahay, learned counsel for the petitioner(s) and Mr. Uddyam Mukherjee, learned counsel for the respondent(s).

3. It is brought to our notice that after the impugned order was passed, an order of 07.09.2026 has been made by the High Court extending time for disposal of the petition under Section 34 of the A&C Act by a further period of two months from 07.09.2026. The said period will expire on 06.11.2026.

4. In view of these directions, we now direct that the said Section 34 petition should be disposed of on or before 06.11.2026.

5. Both the parties undertake that they will not seek any unnecessary adjournments.

6. List this matter on 28th November, 2026.

7. Let a copy of this order be communicated to the Principal District & Sessions Judge, Patna Civil Court, Bihar.