



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : Arb.P/3/2024

SRK Constructions and Projects Pvt Ltd
having its registered office at 6-3-665, Flat No.501, Lumbini Enclave, Panjagutta,
Hyderabad 500082 represented by its power of Attorney holder Shri Tara Tech,
Director, T.K. Engineering Consortium Pvt Ltd, Model Village, Naharlagun, 791110
Arunachal Pradesh

VERSUS

The Chief Engineer (Highways) and 3 Ors
PWD, Arunachal Pradesh, Itanagar 791111

2:The Chief Engineer
Zone V
Age: 0
Occupation :
Ministry of Road Transport and Highways
1 Parliament Street
Transport Bhawan
New Delhi 110001

3:The Regional Officer
Age: 0
Occupation :
MoRTH and H
Itanagar
House No.522
Milan Nagar (Gutlung) Tezpur
Assam 784001

4:The Executive Engineer

Age: 0
Occupation :
Naharlagun HW Division
PWD
Arunachal Pradesh
Nirjuli
79111

Advocate for the Petitioner : J Likha

Advocate for the Respondent : Marto Kato

Case No. : Arb.P./4/2024

SRK-TK(JV)
a joint venture formed between M/s SRK Construction and Projects Private Limited
6-3-665, Flat No. 501, Lumbini Enclave, Panjagutta, Hyderabad 500082 and TK
Engineering Consortium Pvt Ltd Model village Naharlagun, AP 791110 registered
office at Model Village, PO and PS Naharlagun, Papumpare District, Arunachal
Pradesh and represented by Shri Tara Tech, Son of Late Tech Kerap and working as
Director TK Engineering Consortium Pvt Ltd Model village Naharlagun

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Arunachal Pradesh

Nirjuli

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Advocate for the Petitioner : Rajiv Cheri

Advocate for the Respondent : Rintu Saikia

Case No. : Arb.P./5/2024

SRK -TK(JV)

a joint venture formed between M/s SRK Construction and Projects Private Limited 6-3-665, Flat No. 501, Lumbini Enclave, Panjagutta, Hyderabad 500082 and TK Engineering Consortium Pvt Ltd Model village Naharlagun, AP 791110 registered office at Model Village, PO and PS Naharlagun, Papumpare District, Arunachal Pradesh and represented by Shri Tara Tech, Son of Late Tech Kerap and working as Director TK Engineering Consortium Pvt Ltd Model village Naharlagun

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PWD
Arunachal Pradesh
Nirjuli
79111

Advocate for the Petitioner : Rajiv Cheri

Advocate for the Respondent : Rintu Saikia

Case No. : Arb.P/6/2024

SRK-TK(JV)
a joint venture formed between M/s SRK Construction and Projects Private Limited
6-3-665, Flat No. 501, Lumbini Enclave, Panjagutta, Hyderabad 500082 and TK
Engineering Consortium Pvt Ltd Model village Naharlagun, AP 791110 registered
office at Model Village, PO and PS Naharlagun, Papumpare District, Arunachal
Pradesh and represented by Shri Tara Tech, Son of Late Tech Kerap and working as
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79111

Advocate for the Petitioner : Rajiv Cheri

Advocate for the Respondent : Rintu Saikia

**BEFORE
HONBLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

ORDER

Date : 14.05.2024

Heard Mr. J. Likha, learned counsel for the petitioner. Also heard, Mr. R. Saikia, learned Standing counsel, Highway, for the respondent nos. 1 & 4 and Mr. M. Kato, learned DSGI for the respondents nos. 2 & 3.

2. The petitioner is a registered company represented by its power of attorney, namely, *Shri Tara Tech*. The petitioner entered into a contract with the respondents for "*Double laning of Papu-Yupia-Hoj-Potin road from Km 0.00 to 53.00 in the State of Arunachal Pradesh under SARDP-NE*". The contract agreements were signed in the year 2010-11.

3. The contract agreements are mentioned hereinbelow:

(i). agreement No. CE (HW)/01 of 2010-11 for Job No. State Road Ar.Pkg.-2010-11-011 dated 03.09.2010.

(ii). agreement No. CE (HW)/02 of 2010-11 for Job No. State Road Ar.Pkg.-2010-11-013 dated 03.09.2010.

(iii). agreement No. CE (HW)/03 of 2010-11 for Job No. 229 Ar.Pkg.-2010-11-012 dated 03.09.2010.

(iv). agreement No. CE (HW)/01 of 2011-12 for Job No. 052A/Ar.Pkg/2010-11/033 dated 15.07.2011.

4. The instant petitions have been filed under provision of Section 29-A(4) of the Arbitration and Conciliation Act, 1996 seeking extension of mandate of the appointed Arbitral Tribunal comprising of Justice V. N. Khare, Former Chief Justice of India, Justice B. K. Sarma, former Judge, Gauhati High Court and Sri Shambhu Singh, former AS&FA, MoRTH in respect of the aforementioned Arbitration Cases. The proceedings are in advance stage of cross-examination of the witnesses. However, some further additional time beyond the regular time frame of 6+ 12+ 6 months is required due to voluminous nature of the case.

5. The learned counsel for the respondents have no objection if the extension is allowed because sufficient grounds have been shown for extension. It is submitted that a petition under Section 16 of *the Arbitration and Conciliation Act, 1996*, was filed, which was disposed of on 29.04.2023. The first sitting of the Tribunal was on 08.06.2022.

6. Considering the submissions at the Bar and in view of the consensus reached at the Bar, I deem it a fit case to extend the time for another 6(six) months from 23.05.2024 to 23.11.2024.

7. With the above observations, the petitions stand disposed of.

JUDGE

Comparing Assistant