

GAHC010010122024



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

Case No. : Arb.P./2/2024

JWIL- RANHILL JV
(CONSORTIUM OF JITF WATER INFRASTRUCTURE LIMITED, INDIA AND
RANHILL UTILITIES SDN BHD., MALAYSIA) REPRESENTED BY ITS
DEPUTY GENERAL MANAGER, SRI VIKAS JAIN, AND HAVING ITS
PRINCIPAL PLACE OF BUSINESS AT 28, SHIVAJI MARG, NEW DELHI-
110015.

VERSUS

GUWAHATI METROPOLITAN DEVELOPMENT AUTHORITY AND ANR
THOROUGH ITS CHIEF EXECUTIVE OFFICER, STATFED BUILDING, GMCH
ROAD, BHANGAGARH, GUWAHATI-781005, ASSAM

2:PROJECT IMPLEMENTATION UNIT
JICA ASSISTED GWSP
SAIKIA COMMERCIAL COMPLEX 4TH FLOOR
CHRISTIAN BASTI
GS ROAD
GUWAHATI-781005
ASSA

Advocate for the Petitioner : MS P AGARWAL, MR I HASIEB,MR. B J DAS

Advocate for the Respondent : SC, G M D A,

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA
ORDER

06.09.2024

Heard Ms. P. Agarwal, learned counsel for the petitioner. Also heard Mr. S. Bora, learned Standing Counsel, GMDA.

2. The present application has been filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, for appointment of an arbitrator to resolve the dispute arising between the parties.

3. In terms of the earlier order dated 16.08.2024, Hon'ble Mr. Justice Bishewasar Prasad Singh, a former judge of Hon'ble Bombay High Court and Hon'ble Mr. Justice Chittaranjan, a former Judge of Gauhati High Court have furnished a disclosure in writing expressing their willingness to act as Arbitrators for the petitioner as well as the respondents respectively as per the nominations made by the parties. In terms of the disclosure submitted before this Court today, this Court accordingly disposes of this arbitration petition by appointing Hon'ble Mr. Justice Bishewasar Prasad Singh, , a former judge of Hon'ble Bombay High Court and Hon'ble Mr. Justice Chittaranjan Sharma, a former Judge of Gauhati High Court to act as nominated Arbitrators for the parties and to proceed for appointment of a 3rd Arbitrator in terms of the Clause 45.5 of the

agreement dated 13.03.2012 entered by and between the parties in respect of *JICA assisted GWSP(ID-P 201) – Contract Package C#01: Approval towards engagement of Arbitrator for Arbitration case no.2/2024 (JWIL-RANHILL vs. Guwahati Metropolitan Development Authority & Ors.)-Reg.* A copy of this order be furnished to Hon'ble Mr. Justice Bishewasar Prasad Singh and Hon'ble Mr. Justice Chittaranjan Sharma by the respective parties and thereafter, the learned arbitrators will proceed to appoint the 3rd Arbitrator as per the terms of the agreement dated 13.03.2012.

4. In terms of the above, the arbitration petition stands closed.
5. The disclosure forms are kept in the case records.

JUDGE

Comparing Assistant