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

Case No. : Arb.P./32/2020

NAYAK INFRASTRUCTURE PVT. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT, 1956 AND HAVING ITS REGISTERED OFFICE AT SWARUPNANDA ROAD, LUMDING-782447, P.O. LUMDING, DIST. NAGAON AND ITS PRINCIPAL OFFICE AT 2ND FLOOR, KAMAKHYA COMMERCIAL, C.K. ROAD, PAN BAZAR, GUWAHATI-781001 AND IS REPRESENTED BY ITS LIQUIDATOR, SUDHA SARMA, W/O SHANTANU KUMAR SARMA, RESIDENT OF SUDHA AND ASSOCIATES, 185, MRD ROAD, NEAR SBI BAMUNIMAIDAM, GUWAHATI-781021.

VERSUS

NORTH EAST FRONTIER RAILWAY AND ANR.
(CONSTRUCTION ORGANISATION) REP. BY THE GENERAL MANAGER/CONSTRUCTION, MALIGAON, GUWAHATI-781011, KAMRUP (M), ASSAM.

2:CHIEF ENGINEER/CONSTRUCTION-2

NORTH EAST FRONTIER RAILWAY (CONSTRUCTION ORGANISATION)
REP. BY THE GENERAL MANAGER/CONSTRUCTION
MALIGAON
GUWAHATI-781011
KAMRUP (M)
ASSAM

Advocate for the Petitioner : MR A. LAL, Advocate

Advocate for the Respondent : SC, RAILWAY, MR. B K DAS

Linked Case : Arb.P./38/2020

NAYAK INFRASTRUCTURE PVT. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT
1956 AND HAVING ITS REGISTERED OFFICE AT SWARUPNANDA ROAD
LUMDING- 782447
P.O. LUMDING
DIST.- NAGAON AND ITS PRINCIPAL OFFICE AT 2ND FLOOR
KAMAKHYA COMMERCIAL
C.K.ROAD
PAN BAZAR
GUWAHATI-781001 AND IS REPRESENTED BY ITS LIQUIDATOR
SUDHA SARMA
W/O SHANTANU KUMAR SARMA
RESIDENT OF SUDHA AND ASSOCIATES
185
MRD ROAD
NEAR SBI BAMUNIMAIDAM
GUWAHATI-781021.

VERSUS

NORTH EAST FRONTIER RAILWAY AND ANR.
(CONSTRUCTION ORGANISATION) REP. BY THE GENERAL
MANAGER/CONSTRUCTION
MALIGAON
GHY-11
KAMRUP (M)
ASSAM

2:CHIEF ENGINEER/CONSTRUCTION-2
NORTH EAST FRONTIER RAILWAY (CONSTRUCTION ORGANISATION) REP.
BY THE GENERAL MANAGER/CONSTRUCTION
MALIGAON
GHY-11
KAMRUP (M)
ASSAM

Advocate for : MR A. Lal, Advocate
Advocate for : SC
RAILWAY appearing for NORTH EAST FRONTIER RAILWAY AND ANR.

Linked Case : Arb.P./33/2020

NAYAK INFRASTRUCTURE PVT. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT
1956 AND HAVING ITS REGISTERED OFFICE AT SWARUPNANDA ROAD
LUMDING-782447
PO-LUMDING
DISTRICT-NAGAON AND ITS PRINCIPAL OFFICE AT 2ND FLOOR
KAMAKHYA COMMERCIAL
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2:CHIEF ENGINEER/CONSTRUCTION-2
NORTH EAST FRONTIER RAILWAY (CONSTRUCTION ORGANISATION) REP.
BY THE GENERAL MANAGER/CONSTRUCTION
MALIGAON
GHY-11
KAMRUP (M)
ASSAM

Advocate for : MR A. Lal, Advocate
Advocate for : SC
RAILWAY appearing for NORTH EAST FRONTIER RAILWAY AND ANR.

Linked Case : Arb.P./40/2020

NAYAK INFRASTRUCTURE PVT LTD
A COMPANY REGISTERED UNDER THE COMPANIES ACT
1956 AND HAVING ITS REGISTERED OFFICE AT SWARUPNANDA ROAD

LUMDING-782447
P.O. LUMDING
DIST. NAGAON AND ITS PRINCIPAL OFFICE AT 2ND FLOOR
KAMAKHYA COMMERCIAL
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VERSUS

NORTH EAST FRONTIER RAILWAY (CONS ORGANISATION) AND ANR
REP. BY THE GENERAL MANAGER/CONSTRUCTION
MALIGAON
GUWAHATI-781011
KAMRUP (M)
ASSAM.

2:CHIEF ENGINEER/CONSTRUCTION-2

NORTH EAST FRONTIER RAILWAY (CONSTRUCTION ORGANISATION) REP. BY THE GENERAL MANAGER/CONSTRUCTION
MALIGAON
GUWAHATI-781011
KAMRUP (M)
ASSAM.

Advocate for : MR A. Lal, Advocate
Advocate for : SC
RAILWAY appearing for NORTH EAST FRONTIER RAILWAY (CONS ORGANISATION) AND ANR

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

24.06.2026

Heard Mr. A Lal, learned counsel for the petitioners. Also heard Ms. G Sarmah, learned Standing Counsel, Railway for the respondent No. 2 in Arb. Pet No. 40/2020.

2. In deference to the earlier order dated 12.06.2026, this Court upon hearing the parties had appointed Justice Pranoy Kumar Musahary, Former Judge Gauhati High Court to act as the sole Arbitrator to arbitrate on the disputes arising by and between the petitioner and the respondents. However, this appointment was subject to the written declaration required to be submitted under Section 12(1) of the Arbitration and Conciliation Act, 1996 by the prospective Arbitrator.

3. The learned prospective Arbitrator has since furnished his written declaration which has been placed before the Court, the same is available in the case record as placed by the Registry.

4. In view of the written declaration which was submitted by Justice Mushahary, the appointment of Justice Pranoy Kumar Musahary, Former Judge Gauhati High Court as the sole Arbitrator made by the earlier order dated 12.06.2026 is hereby confirmed.

5. Justice Pranoy Kumar Musahary, Former Judge Gauhati High Court is appointed as the sole Arbitrator to arbitrate and decide on the disputes arising by and between the parties arising out of the following contract works:

Arb. Pet No. 32/2020	1. Tender No. CE/CON/AGTL-Sabroom/EMB/2013/11

	2. Contract Agreement No. CON/AGTL-Sabroom/1889 dated 01.01.2015
Arb. Pet No. 33/2020	1. Tender No. CE/CON/NMX-JPZ/Tunnel/2016/12 2. Contract Agreement No. CON/NMX-JPZ/2360 dated 19.07.2017
Arb. Pet No. 38/2020	1. Tender No. CE/CON/N-K/MB/2016/07 2. Contract Agreement No. CON/N-K/2309 dated 14.03.2017
Arb. Pet No. 40/2020	1. Tender No. CE/CON/J-T/EMB/2014/25 2. Contract Agreement No. CON/J-T/2097 dated 07.12.2015

6. The parties will appear before the learned Arbitrator on 09.07.2026.

7. Let a copy of this order be communicated by the Registry to Justice Pranoy Kumar Musahary, Former Judge Gauhati High Court.

8. In view of the above, the arbitration petitions stand disposed of. Pending I.As if any are also disposed of.

JUDGE

Comparing Assistant