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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-15032-CII-2026 in/and
RA-CR-123-2026 in
ARB-547-2025
Date of decision: 07.08.2026

M/S QUICK WELL BORING COMPANY

...Applicant(s)

VERSUS

UNION OF INDIA AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Vipin Kumar Sharma, Advocate for the applicant.

JASGURPREET SINGH PURI, J. (Oral)

CM-15032-CII-2026

Prayer in this application is for condonation of delay of 105 days in re-filing the review application.

For the reasons mentioned in the application, the same is allowed and the delay of 105 days in re-filing the review application, is hereby condoned.

RA-CR-123-2026

1. The present application has been filed seeking review of the judgment dated 29.01.2026 (Annexure A-1) passed by this Court in ARB-547-2025.

2. Learned counsel for the applicant submitted that by way of the aforesaid judgment dated 29.01.2026, the application filed under Section 11(6)



of the Arbitration and Conciliation Act, 1996 seeking appointment of an independent Arbitrator was dismissed by this Court. He further submitted that the aforesaid judgment needs to be reviewed and the main arbitration case filed under Section 11(6) of the Arbitration and Conciliation Act, 1996, may be reconsidered and an independent Arbitrator may be appointed.

3. I have heard the learned counsel for the applicant.

4. By way of the aforesaid judgment dated 29.01.2026, the application filed under Section 11(6) of the Arbitration and Conciliation Act, 1996, seeking appointment of an independent Arbitrator was dismissed by this Court. Now by way of the present review application, the applicant seeks to re-agitate the matter.

5. The law with regard to as to whether once a Reference Court under Section 11 of the Arbitration and Conciliation Act, 1996 has decided an arbitration case, any subsequent application can be filed or not has been settled by Hon'ble Supreme Court in **Hindustan Construction Company Ltd. through its authorised signatory Yogesh Dalal versus Bihar Rajya Pul Nirman Nigam Limited and others, 2025 SCC Online SC 2578.** The relevant portion of the aforesaid judgment is reproduced as under:-

“9(i) Whether the High Court possessed the jurisdiction to review or recall its earlier order passed under Section 11(6) of the A&C Act, and whether the exercise of such power was valid in law.

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11.7. Although the power exercised by the High Court under Section 11 is judicial in nature post - SBP & Co. case, its scope remains narrow. Once an arbitrator is appointed, the arbitral process must proceed unhindered. There is no



statutory provision for review or appeal from an order under Section 11, which reflects a conscious legislative choice.

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11.15. For the reasons discussed above, this Court is of the considered view that the High Court did not have the jurisdiction to reopen or review its earlier order passed under Section 11(6) of the A&C Act. Once the appointment was made, the court became functus officio and could not sit in judgment over the very issue it had already settled. The review order cuts against the grain of the Act, undermines the principle of minimal judicial interference, and effectively converts the review into an appeal in disguise. Such an exercise cannot stand. Accordingly, this issue is answered in the negative”.

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6. By way of the judgment dated 29.01.2026, this Court dismissed the arbitration case filed under Section 11(6) of the Arbitration and Conciliation Act, 1996. The present application is a subsequent application filed by the applicant seeking review of the aforesaid judgment. This Court is therefore of the considered view that after passing a judgment under Section 11 of the Arbitration and Conciliation Act, 1996, the Court becomes *functus officio* and accordingly, no application seeking review of such judgment can be entertained.
7. Consequently, I do not find any merit in the present review application and the same is hereby dismissed.

07.08.2026
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No