

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Arb. Application No. 16 of 2025

MPL-BCCPL(JV) through its authorised signatory Navin Modi, Son of Late Narayan Prasad Modi, Aged about 54 years, having its corporate office at 248, Kanke Road, P.O.P.S. Kanke Dist-Ranchi, Jharkhand, Pin-834 008.

... .. Petitioner

Versus

1. Union of India through the General Manager, South Eastern Railway, P.O.P.S. Garden Reach, Dist. Kolkata- 844101, West Bengal.
2. The Chief Administrative Officer (Con.) South Eastern Railway, 11, P.O.P.S.Garden Reach, Dist Kolkata- 700043, West Bengal.
3. Chief Engineer (Con)/I/GRC, South Eastern Railway, 11, P.O.P.S.Garden Reach, Dist Kolkata- 700043, West Bengal
4. The Deputy Chief Engineer (Con), South Eastern Railway, P.C.P.S. Chutia, Dist-Ranchi-834001, Jharkhand.

... .. Respondents

CORAM: HON’BLE THE CHIEF JUSTICE

For the Petitioner: Mr. Shresth Gautam, Advocate
Mr. Padmanav Shahdeo, Advocate
For the Respondents: Mr. Anil Kumar, Addl. S.G.I.
Mr. Abhijeet Kumar Singh, C.G.C.

04/Dated: 08.08.2025

1. Heard both sides.
2. This Arbitration Application has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 for appointment of an Arbitrator and for reference of the dispute arising out of the Clause 63 of the agreement dated 21.08.2024 between the parties for adjudication.
3. Since, there is an arbitration clause which is admitted by both parties, therefore, Hon’ble Dr. Justice S.N. Pathak, retired Judge of Jharkhand High Court, residing at ‘Nyay Path’, Harmu Chowk, Harmu,

Ranchi, is hereby appointed as the Sole Arbitrator to adjudicate upon the dispute between the parties.

4. All contentions available to the parties are left open.

5. Learned Arbitrator would be free to lay down the fees and other expenses towards conduct of the arbitration proceedings, however, while doing so he shall take into account the ceiling prescribed under Schedule IV of the Act of 1996 as amended.

6. Learned Arbitrator would endeavor to conclude the proceedings expeditiously by taking into regard the mandate of the Legislature under Section 29-A of the Act of 1996.

7. Accordingly, this application is allowed.

8. The Registry is directed to intimate the Arbitrator so appointed with a request to take up the arbitration proceeding and shall also provide photocopy of the entire pleadings along with copy of the entire order sheet to the learned Arbitrator.

9. Urgent Certified Copies as per Rules.

(Tarlok Singh Chauhan, C.J.)