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

Case No. : Arb.P./19/2026

M/S ALLIED CONSTRUCTION
THROUGH ITS AUTHORISED REPRESENTATIVE HAVING ITS REGISTERED OFFICE AT 3RD FLOOR, BR TOWER, 21 JANPATH LANE, ULUBARI, GUWAHATI, ASSAM, PIN-781007

VERSUS

ENGINEER-IN-CHIEF AND 3 ORS.
DIRECTORATE OF CONTRACT MANAGEMENT, INTEGRATED HEADQUARTERS OF MINISTRY OF DEFENCE, KASHMIR HOUSE, DEFENCE HEADQUARTERS, RAJAJI MARG, NEW DELHI, PIN-110011

2:CHIEF ENGINEER
SHILLONG ZONE
MILITARY ENGINEER SERVICES
SPREAD EAGLE FALLS
SHILLONG
MEGHALAYA
PIN-793011

3:COMMANDER WORKS ENGINEER (A)
MILITARY ENGINEER SERVICES
SPREAD EAGLE FALLS
SHILLONG
MEGHALAYA
PIN-793011

4:GARRISON ENGINEER
NARANGI
MILITARY ENGINEER SERVICES
P.O.- SATGAON
DIST- KAMRUP (M)

GUWAHATI
ASSAM
PIN- 78102

Advocate for the Petitioner : MR. P D NAIR, MR S R A NASER,MR G ALAM

Advocate for the Respondent : DY.S.G.I., MR. K GOGOI(C.G.C.)

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

20.11.2026

Heard learned counsel for the parties.

In deference to the earlier order dated 14.10.2026, this Court upon hearing the parties had appointed Mr. Justice Amitava Roy, Former Judge of the Supreme Court of India to act as the sole Arbitrator to arbitrate on the disputes between the petitioner and the respondent arising out of the Agreement No. CESZ/GAU/28 of 2016-2017 dated 10.11.2016. 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.

The learned Arbitrator has since furnished his written declaration vide letter dated 06.11.2026 to the Registry which has been placed before the Court. By the said declaration, the learned Arbitrator has disclosed that there is no handicap or hardship in being appointed as a sole Arbitrator to decide and resolve the disputes arising between the parties under the Arbitration and Conciliation Act, 1996.

The Court has perused the written declaration placed before the Court. In view of the written declaration, the appointment of the Mr. Justice Amitava Roy, Former Judge of the Supreme Court of India as a sole Arbitrator hereby stands

confirmed.

Mr. Justice Amitava Roy, Former Judge of the Supreme Court of India is appointed as the sole Arbitrator to arbitrate and decide on the disputes between the parties arising out of the Agreement No. CESZ/GAU/28 of 2016-2017 dated 10.11.2016. The parties will appear before the learned Arbitrator on 18.12.2026.

Copy of this order be communicated to Mr. Justice Amitava Roy, Former Judge of the Supreme Court of India by the Registry of this Court.

In view of the above, this petitioner under Section 11 of the Arbitration and Conciliation Act, 1996 stands disposed of.

JUDGE

Comparing Assistant