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

Case No. : Arb.P./31/2026

MAN INDUSTRIES (INDIA) LIMITED
A COMPANY HAVING ITS REGISTERED OFFICE AT 101, MAN HOUSE, S.V. ROAD, OPP. PAWAN HANS, VILE PARLE (WEST), MUMBAI- 400056

VERSUS

INDRADHANUSH GAS GRID LIMITED
(A JV OF IOCL, ONGC, GAIL, OIL AND NRL), A COMPANY HAVING ITS REGISTERED OFFICE AT 7TH FLOOR, NRL CENTRE, 122A, G.S. ROAD, CHRISTIAN BASTI, GUWAHATI, ASSAM- 781005

Advocate for the Petitioner : M R BHARALI, PRERNA

Advocate for the Respondent : MR. JYOTIRMOY ROY, N KUMARI,MR B P SARMAH,MR D DAS,B SAHA,MR. R HAZARIKA,MR. C CHAKRAVARTY

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

11.11.2026

Heard Ms. A. Singh learned counsel for the petitioner. Also heard Mr. J. Roy, learned Senior Counsel assisted by Mr. R. Hazarika, learned counsel for the

Respondents.

2. The petitioner before this Court has filed this application under Section 11(6) of the Arbitration and Conciliation Act, 1996.

3. In response to a bid raised by the respondents, the petitioner was shortlisted as the supplier for supply and delivery of the pipes for undertaking the works by the employer/respondents. In the agreement which was executed by and between the parties, there is an arbitration clause which exists at Clause 44.2 where the sub-cause 2 of clause 44.2, in cases of any disputes arising by and between the parties, the matter shall be referred for arbitration for adjudication by a sole arbitrator. The process for appointment of Arbitrator is prescribed under Clause 2.1 whereby either party including the employer shall suggest of panel of three independent and distinguished persons (Retd Supreme Court and High Court Judges only) to the other party for selection to any one of them. There were certain deductions made from the final bills of the petitioner on the ground of delay in supply or execution of the work leading to disputes arising by and between the parties. The petitioner invoked the arbitration clause by issuance of the notice under Section 21 vide communication dated 05.05.2025 whereby the entire disputes have been laid down elaborately. Subsequently, another follow-up notice was issued on 24.02.2026 whereby the proposed name of Justice B.D Agarwal, Former Judge, Gauhati High Court to act as a sole Arbitrator. Since no response was forthcoming from the employer respondents, this application has been filed.

4. In deference to the earlier order dated 15.10.2026, Hon’ble Mr. Justice B. D.

Agarwal, Former Judge of the Gauhati High Court has been appointed as an Arbitrator subject to furnishing of the written declaration as required under Section 12(1) of the Arbitration and Conciliation Act, 1996.

5. The Registry has placed a copy of the written declaration issued by Hon'ble Mr. Justice B. D. Agarwal, Former Judge of the Gauhati High Court, expressing no difficulty or hardship in acting as the sole Arbitrator to decide and arbitrate on the disputes arising by and between the parties in connection with the matter. The copy of the same is placed on case record.

6. Considering the submissions made, Hon'ble Mr. Justice B. D. Agarwal, Former Judge of the Gauhati High Court is appointed as a Sole Arbitrator for adjudication of the disputes that have arisen between the parties in connection with the Tender No. 05/51/23UU/IGGL/012B and the Purchase Order dated 26.11.2021, executed by and between the petitioner and the respondent.

7. The parties will appear before the Sole Arbitrator on 05.12.2026.

8. A Copy of this order shall be communicated to Hon'ble Mr. Justice B. D. Agarwal, Former Judge of the Gauhati High Court by the Registry.

9. Accordingly, this Arbitration Petition stands disposed of.

JUDGE

Comparing Assistant