

GAHC010108622025



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

Case No. : Arb.P./20/2025

M/S HCC-DSD-VNR CONSORTIUM
CONSORTIUM OF HINDUSTAN CONSTRUCTION COMPANY (HCC), M/S
DSD BRUNCKENBAU GMBH (DSD) AND VNR INFRASTRUCTURES
LIMITED HAVING ITS OFFICE SITUATED AT HINCON HOUSE, LBS MARG,
VIKHROLI, (WEST) MUMBAI, 400083 AND IS REPRESENTED BY PROJECT
MANAGER, BOGIBEEL RAIL-CUM-ROAD BRIDGE PROJECT, NAMELY SHRI
RAKESH KUMAR SINGH, AGED ABOUT 55 YEARS, S/O SHRI RANG
BAHADUR SINGH, R/O C-504, LOKHRA SUBHAM GREEN, GUWAHATI-
781034

VERSUS

NORTHEAST FRONTIER RAILWAY AND 2 ORS.
REPRESENTED BY THE GENERAL MANAGER, (CONSTRUCTION), NORTH-
EAST FRONTIER RAILWAY, MALIGAON, GUWAHATI- 11

2:THE CHIEF ADMINISTRATIVE OFFICER (CONSTRUCTION)
NORTH-EAST FRONTIER RAILWAY
MALIGAON
GUWAHATI- 11.

3:THE DEPUTY CHIEF ENGINEER
CONSTRUCTION/TUNNEL
NORTH-EAST FRONTIER RAILWAY
MALIGAON
GUWAHATI- 11

Advocate for the Petitioner : MR. A K SAHEWALLA, MR P GOGOI,MR. W SHARMA

Advocate for the Respondent : DY.S.G.I., MR H GUPTA (C.G.C),MR G GOSWAMI,ASSTT.S.G.I.

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

27.02.2026

Heard Mr. J. Roy learned Senior Advocate assisted by Mr. A. K. Sahewalla, learned counsel for the petitioner. Also Heard Mr. G. Goswami, learned Standing Counsel, Railway, Mr. H. Gupta, learned CGC for the Respondents.

2. In deference to the earlier order dated 27.01.2026, the prospective arbitrators appointed on behalf of the parties, namely Hon'ble Mr. Justice E. Padmanabhan, Former Judge of the Madras High Court, as the "Arbitrator" for the claimants, while Mr. H. K. Jaggi, Former General Manager, Indian Railways as the "nominee arbitrator" for the Railways have submitted their written declaration as is required under Section 12(1) of the Arbitration and Conciliation Act, 1996, they have expressed no difficulty, hardship or handicap in being appointed as the Arbitrators.

3. In view of the written declaration dated 27.01.2026 received by the Registry, the appointment of Hon'ble Mr. Justice E. Padmanabhan, Former Judge of Madras High Court and Mr. H. K. Jaggi, Former General Manager, Indian Railways as "Arbitrators" for the claimant and the "Nominee arbitrator" for the Indian Railways respectively is hereby confirmed.

4. The two arbitrators will now proceed to appoint Hon'ble Mr. Justice Amitava Roy, Former Judge of the Supreme Court of India as the "Presiding Arbitrator" as have already been ordered by an order of this Court dated 27.01.2026.

5. In the order dated 27.01.2026 a written declaration was directed to be furnished under Section 12(5) of the Arbitration and Conciliation Act, 1996. The same stands corrected. The written declaration is required to be furnished under

Section 12(1) of the Arbitration and Conciliations Act, 1996.

6. The Arbitrator so appointed will now proceed with the Tribunal so constituted.

7. Accordingly, this Arbitration Petition is disposed of.

JUDGE

Comparing Assistant