

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

AP/7/2026

M/S. RAJ CONSTRUCTION AND CO.
VS
THE GARRISON ENGINEER (GENERAL) MILITARY
ENGINEER SERVICES REPRESENTING THE
UNION OF INDIA AND ANR.

BEFORE:

The Hon'ble JUSTICE GAURANG KANTH

Date : 12th May, 2026.

Appearance

Mr. Ayan Banerjee, Adv.

Mr. Arijit Bhowmick, Adv.

... for the petitioner

Mr. Sunil Singhania, Adv.

Mrs. Priti Jain, Adv.

...for the respondents

1. The Court: · The petitioner has preferred the present petition under Section 11 of the Arbitration and Conciliation Act, 1996 seeking appointment of a Sole Arbitrator to adjudicate the disputes which have arisen between the parties in terms of Condition No. 71 of the MES General Conditions of Contract read with the provisions of the Arbitration and Conciliation Act, 1996.

2. Learned Counsel appearing for the respective parties jointly submit that the parties do not dispute the existence and validity of the agreement entered into between them, including the arbitration clause contained therein.

3. Learned Counsel for the parties have jointly suggested the name of Mr. Shailendra Jain, Advocate, having his office at 9, Old Post Office Street,

Kolkata – 700001 (Mob: 9831836383), for appointment as the learned Sole Arbitrator to adjudicate the disputes between the parties.

4. In view of the consensus arrived at between the parties, Mr. Shailendra Jain, Advocate, having his office at 9, Old Post Office Street, Kolkata – 700001 (Mob: 9831836383), is appointed as the learned Sole Arbitrator to adjudicate all disputes and differences arising out of the said contract.

5. The learned Sole Arbitrator shall be entitled to fix his remuneration in accordance with the Fourth Schedule to the Arbitration and Conciliation Act, 1996, unless otherwise agreed by the parties.

6. The learned sole Arbitrator shall enter into reference subject to compliance with Section 12 of the Arbitration and Conciliation Act.

7. All questions, including those relating to limitation, maintainability of claims, jurisdiction, and merits, are expressly kept open to be decided by the learned Arbitral Tribunal.

8. A copy of this order shall be communicated to the learned sole Arbitrator to take necessary steps.

9. With the aforesaid directions, the present petition stands disposed of.

(GAURANG KANTH, J.)