IN THE HIGH COURT OF JHARKHAND AT RANCHI

Arbitration Application No. 46 of 2026

Jaishiv Construction Pvt. Ltd., through its Authorized Signatory and Director, Rahul Kaushik, son of Yatindra Nath Singh, aged about 40 years, resident of Chunna Bhatta Lane, P.O and P.S Kokar, District Ranchi, Jharkhand, having its registered office at Jaishiv Bhawan, Bano Manzil Road, P.O. Harmu, P.S. Sukhdeonagar, District Ranchi.

…. …. Petitioner

Versus

1. Mecon Ltd., through its Chief Managing Director, having its office at Mecon Chowk, P.O. & P.S. Doranda, District Ranchi.
2. The Senior General Manager, I/c Contracts, Contracts Engineering Section, Mecon Ltd., Mecon Chowk, P.O. & P.S. Doranda, District Ranchi.

….. ….. Respondents

CORAM : HON'BLE THE CHIEF JUSTICE

For the Petitioner : Mr Vibhor Mayank, Advocate
For the Respondents : Mr Shrestha Gautam, Advocate
Mr Padmanav Shahdeo, Advocate

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02 /Dated: 18.09.2026

1. Heard Mr Vibhor Mayank, learned counsel for the applicant and Mr Padmanav Shahdeo, learned counsel for the respondents.

2. This is an application seeking appointment of an arbitrator under Section 11 of the Arbitration and Conciliation Act, 1996 (the said Act).

3. Certain disputes have arisen between the parties in relation to the Agreement / Work Order dated 07.03.2022, which is placed on record. Clause 51 of the Agreement / Work order contains an arbitration clause. Therefore, the learned counsel for the parties do not dispute the existence of the arbitration clause.

4. Accordingly, having regard to the law laid down in '**Interplay Between Arbitration Agreements under Arbitration and Conciliation Act, 1996 and Stamp Act, 1899 In Re, (2024) 6 SCC 1** and **SBI General Insurance Co. Ltd. versus Krish Spinning (2024) 12 SCC 1**, the case is made out for

appointment of an Arbitrator to adjudicate the disputes that have now arisen between the parties.

5. Learned counsel for the parties jointly suggest the appointment of Mr Rahul Gupta, learned Advocate of this Court, to be the Arbitrator in this matter.

6. Accordingly, Mr Rahul Gupta, learned Advocate of this Court, residing at Burdwan Compound, opposite Holy Cross School, Lalpur, Ranchi, is appointed as Arbitrator to adjudicate the disputes that have arisen between the parties.

7. The learned Arbitrator's fees shall be governed by the Fourth Schedule of the said Act. In the first instance, both parties shall bear such costs and fees equally, and the same shall be subject to any final Award that may be passed by the learned Arbitrator in relation to this matter.

8. Learned counsel for the parties state that they will file an authenticated copy of this order before Mr Rahul Gupta, who is now appointed as Arbitrator in this matter.

9. All contentions of all parties are left open to be decided by the Arbitrator.

10. This application is disposed of in the above terms, without any order for costs.

(M.S. Sonak, C.J.)

September 18, 2026
Ranjeet / R.Kr.
NAFR
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