IN THE HIGH COURT OF JHARKHAND AT RANCHI

Arbitration Application No. 41 of 2026
With
Arbitration Application No. 42 of 2026

M/s. R.K. & Company Manpower Private Limited, a private limited company incorporated under the provisions of the Companies Act, 1956, having its Corporate Office at Z-1, New Palam Vihar, P.O.- Palam Vihar (Sub Office), P.S. - Palam Vihar Police Station, Gurugram - 122017 (Haryana), India, through its Authorized Signatory - Mr. Yogesh Agrawal, aged about 42 years, Son of Badri Prasad Agrawal, resident of C-90, Sai Kunj, Phase 3, New Palam Vihar, Bajghera, P.O.- Palam Vihar, P.S.- Bajghera, Gurugram, Haryana - 122017. ….. ….. Petitioner (in both cases)

Versus

1. Jharkhand State Beverages Corporation Limited, through its Managing Director, having its office at Utpad Bhawan, Ground Floor, P.O. Ranchi University, P.S. Gonda, Near Naveen Police Kendra, District Ranchi, PIN 834008, Jharkhand.
2. General Manager (Operations), Jharkhand State Beverages Corporation Limited, having its office at Utpad Bhawan, Ground Floor, P.O. Ranchi University, P.S. Gonda, Near Naveen Police Kendra, District Ranchi, PIN 834008, Jharkhand.
3. General Manager (Finance), Jharkhand State Beverages Corporation Limited, having its office at Utpad Bhawan, Ground Floor, P.O. Ranchi University, P.S.- Gonda, near Naveen Polie Kendran, District- Ranchi PIN-834008, Jharkhand. …. …. Respondents (in both cases)

CORAM : HON'BLE THE CHIEF JUSTICE

For the Petitioner : Mr Indrajit Sinha, Advocate
Ms Niharika Nidhi, Advocate
For the Respondents : Mr Raunak Sahay, Advocate

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02 /Dated: 30.10.2026

1. Heard the learned counsel for the parties.

2. Mr Sinha states that the issues raised in these applications are fully covered by this Court's order dated 08.05.2026 disposing of Arbitration Application No. 01 of 2026. The respondent in Arbitration Application No. 1 of 2026 was also Jharkhand State Beverages Corporation.

3. Mr Raunak Sahay, learned counsel for the respondent-Corporation, refers to the counter affidavit filed on behalf of the Corporation on 4th of August, 2026 to submit that all the case papers are in the custody of the Anti-Corruption

Bureau, which is investigating F.I.R. No. 09 of 2025 dated 20.05.2025. Therefore, the respondent-Corporation is unable to file a proper reply on merits to the arbitration application.

4. In the counter affidavit, there is no denial regarding the execution of agreements dated 06.10.2023. Further, there is, and there can be no dispute, that these agreements, both dated 06.10.2023, record an arbitration agreement in Clause 14.

5. At this stage, the scope of proceedings is limited to examining the prima facie existence of an arbitration agreement between the parties. Since such an arbitration agreement prime facie exists between the parties, by following the reasoning in the order dated 08.05.2025, disposing of Arbitration Application No. 01 of 2026, these applications are allowed by appointing Hon'ble Mr Justice Gautam Kumar Choudhary, retired Judge of this Court, residing at Flat No.301, Nirvana Apartment, Opposite Tagore Hill, Morabadi, Ranchi-834008 (email address- gautamhcranchi@gmail.com) to arbitrate the dispute between the parties.

6. The learned Arbitrator is requested to issue the necessary declaration under section 12(2), read with the 5th and 6th Schedules of the Arbitration and Conciliation Act (the said Act), before entering upon the arbitration proceedings. The learned Arbitrator's fees shall be in accordance with the 4th Schedule of the said Act, and such fees and arbitration expenses shall be equally borne by both parties.

7. The learned Arbitrator shall endeavour to conclude the arbitration proceedings as expeditiously as possible, having regard to the mandate of Section 29 (A) of the said Act.

8. All contentions of the parties are left open for the learned Arbitrator to decide.

9. The Registry is directed to intimate the learned Arbitrator so appointed about this order within fifteen days from the uploading of this order. The parties are also at liberty to place this order before the learned Arbitrator.

10. Both the arbitration applications are disposed of in the above terms. No costs.

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

October 30, 2026
Ranjeet / R.Kr.
NAFR
Uploaded on 02.11.2026