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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **ARB.P. 1958/2025**

M/S KMV PROJECTS LTD

.....Petitioner

Through: Mr. Avinash Trivedi, Mr. Anurag
Kaushik & Mr. Rahul Aggarwal,
Advs.

versus

M/S HSCC INDIA LTD & ANR.

.....Respondents

Through: Mr. Palash Agarwal, Adv. for R-1.

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER

02.04.2026

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1. The present petition is filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for short 'the Act') for appointment of an arbitrator.
2. The brief facts are that the petitioner was the successful bidder in the tender invited by the respondents for the "Construction of Super Speciality Block at AMCH, Dibrugarh (Assam) and their Maintenance during Defects Liability Period". On 12.08.2016, the respondents issued Letter of Acceptance. Disputes arose between the parties to the lis. The petitioner by letter dated 05.09.2025 initiated arbitration proceedings invoking Clause 25 of the General Clauses of the Contract. On failure to do the needful, the present petition was filed.
3. Learned counsel for the respondent on instructions has no serious objection for referring the matter to arbitration.
4. The reply is taken on record.



5. Accordingly, the petition is allowed by appointing Mr. Mohammad Rafiq, former Chief Justice of the Meghalaya High Court (Mobile No.941405777) with the consent of the parties, as the sole arbitrator for adjudication of the disputes which have arisen between the parties.
6. Arbitral proceedings will be held under the aegis of Delhi International Arbitration Centre (DIAC). Fee of the Arbitrator shall be fixed as per fee schedule or the arbitrator shall fix the fee with the consent of the parties.
7. Before entering upon reference, the learned Arbitrator will comply with Section 12 of the Act.
8. It is made clear that since this Court has not expressed any opinion on the merits of the rival claims of the parties and it will be open for the parties to file their respective claims/counter claims before the learned Arbitrator which will be considered in accordance with law.
9. A copy of this order be forwarded to the learned Arbitrator for information.

AVNEESH JHINGAN, J

APRIL 2, 2026/PA