HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Arbitration Application No. 30/2023
CNR: RJHC020218702023 | URN: ARBAP / 35U / 2023

M/s. R.m. Agarwal Builders, Having Its Office At 36/10H/1C, Mohanpura, Idgah, Agra(U.p.)-282001 Through Its Proprietor Sh. Mahesh Chand Agarwal.

----Petitioner

Versus

Union Of India, Through General Manager, West Central Railways, Wcr Headquater, South Civil Lines, Jabalpur-Mp.

----Respondent

For Petitioner(s)	:	Mr. Jatin Agarwal with Ms. Anita Goyal
For Respondent(s)	:	Mr. Abhi Goyal

HON'BLE THE CHIEF JUSTICE MR. SANJAY K. AGRAWAL

Order

20/11/2026

1. The applicant-petitioner has preferred this arbitration application under Section 11 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act of 1996') for appointment of the Arbitrator.

2. Learned counsel for the applicant submits that Clause 23 of the tender document contains arbitration clause and place of arbitration would be within the geographical limits of the Division of Railway, where the cause of action arose or the Headquarters of the concerned Railway which is Kota Division. He further submits as per annexure-1, letter of acceptance was issued by the Office of Divisional Railway Manager, Kota and notice for arbitration has

also been issued on 05.01.2023 (vide annexure-23), as such the arbitrator be appointed.

3. Learned counsel for the respondent submits that it is not a case where the arbitrator should be appointed.

4. Heard learned counsel for the parties and perused the material available on record.

5. In view of the arbitration clause 23 of the tender agreement and since notice for demand of arbitration has already been sent to the respondent vide annexure-23, this Court considers it a fit case for appointment of an arbitrator.

6. The arbitrability of the dispute, if any, be raised before the Arbitrator and accordingly, this Court appoints Hon'ble Mr. Justice Narendra Singh Dhaddha (Retd.) Office-cum-residence No.705, Navkar Residency, Jai Singh Highway, Bani Park, Jaipur, as an Arbitrator to decide the dispute.

7. Accordingly, the arbitration application stands allowed. The arbitration fees shall be determined in accordance with the Fourth Schedule of the Act of 1996, as amended. The fee of the Arbitrator will be equally borne by both the parties.

8. The respondents are at liberty to raise the objections during the course of argument before the arbitrator.

9. Copy of this order be sent to the appointed Sole Arbitrator.

(SANJAY K. AGRAWAL),CJ

D-A/2/AMIT/RAHUL