



2026:CGHC:13820



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****ARBR No. 19 of 2026**

M/ S Anand Carbo Pvt Ltd A Private Company Registered Under The Companies Act 1956 Having Its Registered Office At 11 Clive Row 3rd Floor Suite No 28 Kolkata, 700001 Through Its Authorized Signatory., Chhattisgarh

... Applicant(s)**versus**

1 - South Eastern Coalfields Limited (SECL) Through The Chairman Cum Managing Director, SECL Bhawan Seepat Road Bilaspur 495555, CG

2 - The General Manager (Operations) South Eastern Coalfields Limited, Chirmiri Area Po West Chirmiri Dist Korea 497773, CG

... Non-applicant(s)

For Applicant : Mr. Rishabh Garg, Advocate (through V.C.) as well as Mr. Kartik Kathuriya, Advocate.

For Non-applicants : Mr. Anumeh Shrivastava, Advocate (through V.C.)

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****23.03.2026**

1. This is an application under Section 11(6) read with Section 15(2) of the Arbitration and Conciliation Act, 1996 (for short, "the Act of 1996") for appointment of an arbitrator.
2. The applicant has prayed for the following relief(s):



- “a. It is therefore, prayed that this Hon’ble Court may be pleased to exercise its power under Section 11(6) read with Section 15(2) of the Arbitration and Conciliation Act, 1996, to appoint a substitute arbitrator for the adjudication of disputes, or*
- b. Pass such orders as this Hon’ble Court may deem fit, in the facts and circumstances of the case.*

3. At the outset, Mr. Rishabh Garg, learned counsel appearing for the applicant submits that as there was a consensus between the parties, the dispute involved in this arbitration request was referred to the sole arbitration of Hon’ble Mr. Justice Dharendra Mishra, a retired Judge of this High Court vide order dated 06.10.2025 passed in ARBR No. 35/2025. However, vide the proceedings dated 10.01.2026 on Mr. Justice Dharendra Mishra has recused from the arbitration proceedings. As such, the dispute between the parties may be referred to any other retired Judge of this High Court.

4. On a query being made by this Court as to whether they are agreeable for a common name who can be appointed as the sole arbitrator, learned counsel appearing for the parties jointly submits that Hon’ble Mr. Justice, V.K. Shrivastava, a retired Judge of this High Court may be appointed as a sole arbitrator.

5. In view of the above, **Hon’ble Mr. Justice V. K. Shrivastava** a retired Judge of this High Court is appointed to act as the Sole Arbitrator to resolve the dispute involved in this arbitration request between the parties.

6. The Registry is directed to communicate this order to Hon’ble Mr.



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Justice V. K. Shrivastava in the proper address.

7. The remuneration of the Arbitrator shall be settled with the mutual consent of the parties.

8. The arbitration request petition, accordingly, stands **allowed**.

9. If the records of this case has been sent back to this Court by the earlier Sole Arbitrator, Hon'ble Mr. Justice Dharendra Mishra, the said record be transmitted to Hon'ble Mr. Justice V.K. Shrivastava, forthwith.

**Sd/-
(Ramesh Sinha)
Chief Justice**

Kunal