

GAHC010108622025



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Arb.P./20/2025

M/S HCC-DSD-VNR CONSORTIUM
CONSORTIUM OF HINDUSTAN CONSTRUCTION COMPANY (HCC), M/S
DSD BRUNCKENBAU GMBH (DSD) AND VNR INFRASTRUCTURES
LIMITED HAVING ITS OFFICE SITUATED AT HINCON HOUSE, LBS MARG,
VIKHROLI, (WEST) MUMBAI, 400083 AND IS REPRESENTED BY PROJECT
MANAGER, BOGIBEEL RAIL-CUM-ROAD BRIDGE PROJECT, NAMELY SHRI
RAKESH KUMAR SINGH, AGED ABOUT 55 YEARS, S/O SHRI RANG
BAHADUR SINGH, R/O C-504, LOKHRA SUBHAM GREEN, GUWAHATI-
781034

VERSUS

NORTHEAST FRONTIER RAILWAY AND 2 ORS.
REPRESENTED BY THE GENERAL MANAGER, (CONSTRUCTION), NORTH-
EAST FRONTIER RAILWAY, MALIGAON, GUWAHATI- 11

2:THE CHIEF ADMINISTRATIVE OFFICER (CONSTRUCTION)
NORTH-EAST FRONTIER RAILWAY
MALIGAON
GUWAHATI- 11.

3:THE DEPUTY CHIEF ENGINEER
CONSTRUCTION/TUNNEL
NORTH-EAST FRONTIER RAILWAY
MALIGAON
GUWAHATI- 11

Advocate for the Petitioner : MR. A K SAHEWALLA, MR P GOGOI,MR. W SHARMA

Advocate for the Respondent : DY.S.G.I., MR H GUPTA (C.G.C),MR G GOSWAMI,ASSTT.S.G.I.

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

17.12.2025

Heard Mr. J Roy, learned Senior counsel assisted by Mr. A.K. Sahewalla, learned counsel for the petitioner. Also heard Mr. G Goswami, learned Standing Counsel, Railway and Mr. H Gupta, learned CGC for the Union.

During the course of the hearing, certain factual issues were urged before the Court to the effect that portions of claims made by the petitioner for which reference to arbitration is sought for have already been referred to arbitration and the arbitral Tribunal in seisen of these matters.

The learned senior counsel for the petitioner however disputes this claim and submits that in respect of projection made by the respondents with regard to seven (7) disputes which are referred to in their pleadings. Five (5) of the disputes have been referred to arbitration. The present proceeding pertains to seeking appointment of arbitrator with regard to disputes 6 and 7.

Accordingly, the Railway counsel will file detailed affidavit in respect of the disputes which are stated to have been referred to arbitration and also point out the disputes which are yet to be referred to arbitration.

Let this affidavit be positively filed within one week from today.

Matter be listed again on 06.01.2026.

JUDGE

Comparing Assistant