

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/PETN. UNDER ARBITRATION ACT NO. 161 of 2025

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M/S MAGO CONSTRUCTION PVT. LTD.

Versus

UNION OF INDIA & ORS.

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Appearance:

MS ZEEL K RAVAL(11909) for the Petitioner(s) No. 1

MR CHAITANYA S JOSHI(5927) for the Respondent(s) No.

1,2,3

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**CORAM:HONOURABLE THE CHIEF JUSTICE MRS.
JUSTICE SUNITA AGARWAL**

Date : 21/08/2026

ORAL ORDER

1. The only objection taken for the claim of the petitioner for appointment of Arbitrator in relation to the dispute is on the plea of accord and satisfaction based upon clause 65 of the General conditions of the contract.

2. In view of the decision of the Apex Court in **[2024 SCC OnLine SC 1754, SBI General Insurance Co. Ltd. Vs. Krish Spinning]** the objection taken by learned Counsel for the respondent is hereby rejected.

3. There is no dispute about the Arbitration Clause and the notice invoking the same served upon the respondent. I have no option but to allow the present petition.

O R D E R

(i) Petition is **ALLOWED**.

(ii) Hon'ble Mr. Justice Surya Prakash Kesarwani, Former Judge, High Court of Calcutta residing at 170/1/6C, Newada, Ashok Nagar, Prayagraj, Uttarpradesh-211001 having Mobile No.9415289926 and e-mail address: spkesarwani@yahoo.in is appointed as sole Arbitrator to resolve the disputes between the parties in accordance with the Arbitration Centre (Domestic and International), High Court of Gujarat Rules, 2021. Both parties would be governed by said Rules.

(iii) Registry is directed to communicate this order to the sole arbitrator forthwith by speed post. No order as to costs.

(iv) Consequently, all pending connected application/s, if any, stands disposed of.

(SUNITA AGARWAL, CJ.)

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