



[3378]^{2026:TSHC:8239}

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**WEDNESDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE P.SAM KOSHY

ARBITRATION APPLICATION NO: 82 OF 2025

Between:

Bansal and Company, A Partnership Firm, Registered under Partnership Act, 1932 Having its office at Bansal Kothi, 1- Nehru Colony, Thatipur, Gwalior-474 011, Represented by its Partner, Prem Narayan Bansal s/o Late Shri M.L. Bansal, Aged- 80 years.

...APPLICANT

AND

1. Union of India, Ministry of Defense, Room No 305-'B' Wing, Sena Bhawan, New Delhi-110011. Rep. by its Secretary.
2. Chief Engineer, Military Engineer Services, Headquarters, Chennai Zone, Island Grounds, Chennai- 600 009.
3. Engineer in Chief, Military Engineer Services, Kashmir House, Rajaji Marg, Defense Headquater Delhi-110011.
4. The Garrison Engineer (South) Secunderabad (R4 Deleted), 1, Bajhan Mandhir Ln, Mudfort, Gunrock Enclave, Secunderabad, Telangana 500009

(R4 name striked of as per Court order dt 1/4/26 in IA.No. 2 of 25 in ARBAPPL.No. 82/25)

5. The Garrison Engineer(Utility) Secunderabad 1, Bajhan Mandhir Ln, Mudfort, Gunrock Enclave, Secunderabad, Telangana 500009

R5 name impleaded as per Court Order dt 1/4/26 in IA.No. 1 of 25 in ARBAPPL.No. 82/25

...RESPONDENTS

Arbitration Application under Section 11(6) of Arbitration and Conciliation Act 1996 R/w Scheme for Appointment of Arbitrators, 1996 under praying that the High Court may be pleased to;

- (a) Appoint a sole arbitrator to adjudicate the disputes between the Applicant and the Respondents arising out of the agreement bearing CA No. CECZ/SEC/26



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of 2017-18 for the provision of Solar Power Plant of Capacity 2MV at AOC
Center Safiguda at Secunderabad

- (b) To grant any other relief or reliefs which this Honble Court deems fit and proper in the circumstances of the case.
- (c) Award the costs of the present Application.

Counsel for the Applicant: Sri Mohammed Omer Farooq

Counsel for the Respondents: Sri K. Mohan

The Court made the following: ORDER



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**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HONOURABLE SRI JUSTICE P.SAM KOSHY

ARBITRATION APPLICATION No.82 of 2025

DATE: 29.04.2026

Between:

Bansal and Company, Thatipur,
Gwalior.

...Applicant

AND

Union of India, New Delhi and others.

...Respondents

ORDER:

Heard Mr. Mohammed Omer Farooq, learned counsel for the applicant; and Mr.K.Mohan, learned counsel for respondents.

2. The instant Arbitration Application under Section 11 (6) of the Arbitration and Conciliation Act, 1996 (for short 'the Arbitration Act') has been filed by the applicant seeking for appointment of an Arbitrator to adjudicate upon the disputes that have arisen between the applicant and the respondents.

3. The matter flows from Notice Inviting Tender inviting applications for provision of Solar Power Plant of capacity 2MW at AOC Centre Safiguda at Secunderabad.

4. It is contended that an agreement was entered into between the applicant and the respondents on 12.12.2017 for the execution of aforementioned work. The date of commencement of the work was 17.01.2018 and completion of work was to be done by 16.01.2019. The work order was issued on 22.12.2017. Thereafter, correction slip for the work order was issued on 04.08.2018. On account of certain feasibility issue and also on account of Covid Pandemic, delay took place and work could not be completed. The parties agreed for extension of time and extended time till 17.09.2021. In the course, there appears to have certain disputes that arose between the parties. The applicant thereafter resorted to procedure prescribed under the agreement for resolution of disputes, but, it could not redress his grievance.

5. The applicant thereafter approached this Court through the instant application under Section 11 (6) of the Arbitration Act.



6. So far as the existence of disputes, there does not seem to be any quarrel between the two parties and also there does not seem to be any dispute so far as the agreement entered into between the parties. The agreement clause regarding arbitration as a means of settlement of disputes is also not in dispute. Respondents in their counter have furnished the panel of arbitrators approved by the respondents and upon a consent being sought between the parties who among the MoD panel of arbitrators, the present matter can be referred to.

7. Both the counsel appearing for the parties agreed for Mr.Maj Gen K.Gajria to be nominated as an Arbitrator.

8. In view of the aforementioned given facts and circumstances of the case and also taking into consideration of the consensus arrived at between the parties for nominating Mr.Maj.Gen K.Gajria as an Arbitrator for deciding the claim raised by the applicant.

9. Accordingly, this Court appoints Mr.Maj.Gen K.Gajria, ADGTE, Army (Corps of Engrs) named in the copy of list of Arbitrators published by respondent No.1, dated 07.02.2022, to act as an Arbitrator and to pass an appropriate award in terms of the

provisions of the Act. The venue of the arbitration shall be decided mutually by the parties subject to the consultation and agreement of the learned Arbitrator. The fees of the learned Arbitrator shall also be decided mutually by the parties again in consultation and agreement with the learned Arbitrator and the arbitration proceedings shall be governed in accordance with the provisions of the Act.

10. The instant Arbitration Application accordingly stands allowed.

As a sequel, miscellaneous petitions pending if any, shall stand closed. There shall be no order as to costs.

SD/- M. RAMANA KRISHNA
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. Mr. Major. General K.T. Gajria (Retd.), II K/54-Lajpat Nagar, New Delhi, Mobile No. 9871200483, Email: gajriakt51@gmail.com **(Along with a Copy of affidavit and material papers) (By Speed Post)**
2. One CC to Sri Mohammed Omer Farooq, Advocate [OPUC]
3. One CC to Sri K. Mohan, Advocate [OPUC]
4. Two CD Copies

VH/KA



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HIGH COURT

DATED: 29/04/2026

ORDER

ARBAPPL.No.82 of 2025



**ALLOWING THE
ARBITRATION APPLICATION**

⑥
kpr
21/5/26