

Item No. D-3

Kuldeep Bhardwaj vs. Union of India & Ors.

Arb. Case. No. 165 of 2025

20.03.2026 Present: Mr. Tarunjeet Singh Bhogal and Ms. Srishti Verma, Advocates, for the petitioner.

Mr. Balram Sharma, Deputy Solicitor General of India with Mr. Rajeev Sharma, Advocate, for the respondents.

During the course of the arguments, it transpires that in the notice initiating arbitration proceedings, there is a reference to a document dated 04.07.2023, which is, however, not on record. The copy of which has been produced today.

Mr. Tarunjeet Singh Bhogal, Advocate, has also pointed out that similarly there is another communication dated 09.08.2023, addressed to the Additional Director General, wherein a request is made to refer the matter to the Dispute Redressal Committee at the earliest, failing which he would invoke the arbitration proceedings, which was then followed up on 24.08.2023.

It has further been pointed out that prior to sending the communication dated 04.07.2023, the respondent has also supplied the General Conditions of Contract, 2020, vide communication dated 27.06.2023, in which there is no such provision, that the matter should be referred to the conciliator.

On the other hand, Mr. Balram Sharma, learned Deputy Solicitor General of India, submits that

the amendment was made on 28.06.2021 before the original agreement, where there is a provision that the matter be referred to a conciliator and, therefore, the petitioner would be bound by the said provision, since, it is prior to the award of contract dated 06.04.2022 (Annexure R-2).

Keeping in view the above, the necessary documents be placed on record by filing appropriate application. Union of India can also produce original record for the perusal of this Court.

Accordingly, the proceedings are deferred for **08.05.2026**.

(G. S. Sandhawalia)
Chief Justice

20th March, 2026_(sanjeev)