

M/s Rattan Bahadur Kesi Vs. Union of India and Others.

Item No. (D-2)

Arb. Case No.734 of 2024

17.04.2026

Present: Mr. Jagat Paul, Advocate, for the petitioner.

Ms. Sneh Bhimta, Advocate, for Ms. Shreya Chauhan, Advocate, for respondents No.1 to 4.

Mr. Karan Singh Kanwar, Advocate, for respondents No.5 and 6.

Though the objections have been taken by respondents No.5 and 6 that mandatory notice for invoking the arbitration Clause has not been issued to the respondents, but it is not disputed that the demand dated 19.03.2021 of Rs.1,62,58,431/- as such was raised upon the said respondents in pursuance to the work of hill cutting of the four lane of Parwanoo to Solan National Highway. It is also not disputed that the said respondents replied on 28.04.2021, whereby the plea has been taken that he had been paid all the amounts and there is no reference as such as to what was the bills raised by the petitioner and what was the mode of payment and to what extent, in the said reply.

2. It is also pertinent to mention that respondents No.1 to 4 had also replied to the petitioner on 26.06.2021 itself that the reply had been sent by respondents No.5, 6- G R Infraprojects Limited on 28.04.2021. It is thus

apparent that the present petition has been filed for the necessary relief.

3. Counsel for respondents No.5 and 6 prays for time to seek necessary instructions in the peculiar facts and circumstances, since in the reply it is not disputed that there is an arbitration Clause *inter se* the parties. Let necessary instruction be sought regarding the consent to be given for the appointment of the Arbitrator due to the technical objections as such being raised as the matter would have to be eventually resolved by taking into account that what was the outstanding amount for the work done and due payments made.

4. To come up for consideration on **08.05.2026**.

(G.S. Sandhawalia)
Chief Justice

17th April, 2026
(Munish Thakur)