

**IN THE HIGH COURT OF MANIPUR  
AT IMPHAL**

WP(C) No.298 of 2025 with  
MC (WP(C)) No.273 of 2025

Water Resource Department, Manipur  
through the Executive Engineer,  
Dolaithabi Barrage Division No.2,  
(Former IFC Department), Imphal-  
795001, Manipur.

... Petitioner

-Versus-

M/s Keystone Infra Private Limited,  
No.8-2-338/6, Road No.3, Panchavati  
Colony, Banjara Hills, Hyderabad-  
500034 Telangana

... Respondent

**BEFORE  
HON'BLE MR. JUSTICE A.GUNESHWAR SHARMA**

8.4.2025

Heard Mr.M.Rarry, learned senior counsel assisted by  
Ms.Nikita, learned counsel for the petitioner.

[2] Issue Notice to the sole respondent.

[3] Petitioner is directed to take steps by speed post, dasti  
and any other permissible mode of service and file affidavit for proof  
of service within one month.

[4] List this case on 25.4.2025.

[5] Mr.Rarry, learned senior counsel for the petitioner  
prays for stay of the impugned order dated 12.3.2025 passed by the  
learned District Judge, Imphal West in Arbitration Petition No.1 of  
2024 and subsequent consequential order dated 18.3.2025 passed  
by the learned sole Arbitrator in fixing next date of proceeding the  
arbitration on 9.4.2025.

[6] It is submitted that in terms of clause (25) of the Contract Agreement and vide order dated 10.12.2022 issued by the Deputy Secretary, WR, Government of Manipur, Hon'ble Dr.Arijit Pasayat, former Judge, Supreme Court of India, was appointed as sole Arbitrator to settle the dispute between the parties, i.e. M/S Keystone Infra Pvt Ltd (respondent herein) and the Water Resource Deptt, Government of Manipur. It is submitted that in terms of Section 29 A of the Arbitration and Conciliation Act, 1996 the term of making an arbitral award expired on 9.12.2023, on expiry of the 12 (twelve) months, as no consent was given by the petitioner for extension in terms of section 29 A (3) of the Act.

[7] It is stated that after expiry of the term of arbitral tribunal under Section 15 (2), a new Arbitrator has been substituted vide order dated 29.8.2024 issued by the Deputy Secretary, Water Resource, Government of Manipur, in the name of Governor. It is stated that subsequent order dated 29.8.2024 for appointment of substituted Arbitrator, i.e. Shri Th.Joykumar Singh, retired Chief Engineer, PWD has not been challenged before any forum. After appointment of the new substitute arbitrator, respondent herein filed application on 23.9.2024 being Arbitration Petition No.1 of 2024 before the learned District Judge, Imphal West, inter alia, praying for extension of time for one year under Section 29A (4) and 29A (5) of the Act. The prayer in the Arbitration Petition No.1 of 2024 is reproduced hereunder:

“(a) Regularize the period already undergone from 10.6.2024 until the day of passing of the order in the present petition.

(b) Extend the time limit for completion of pleading and for the purpose of passing of the Award by further period of one year in the arbitration proceedings titled as Keystone Infra Pvt Ltd Vs State of Manipur as related to the project: in the interest of justice;

(c) Any other or further order/s, which, this Hon'ble Court may deem fit and proper in view of the above said facts and circumstances."

[8] Order dated 29.08.2024, appointing new Arbitrator has not been challenged and vide impugned order dated 12.3.2025, the learned District Judge, Imphal West allowed the petition.

[9] It is submitted that in terms of Section 29A (1), the mandate of arbitral tribunal expired on 9.12.2025 after a lapse of 12 months and since there was no agreement for extension, the learned District Judge, wrongly assumed the mandate expired on 9.6.2024. It is also stated that in the statute there is no provision for regularising term already lapsed for extension. It is also submitted that without challenging the appointment of substitute arbitrator vide order dated 29.8.2024 the same has been impliedly set aside by the impugned order and restored the earlier terminated proceeding of Hon'ble Mr.Arijit Pasayat, appointed vide order dated 10.2.2022.

[10] Mr.M.Rarry, learned senior counsel for the petitioner also submits that the learned District Judge, has no jurisdiction to exercise power for appointment of substitute arbitrator. Learned senior counsel further submits that the impugned order dated 12.03.2025 striking down appointment of substitute arbitrator vide order dated 29.8.2024 needs to be set aside for the same being not challenged before the learned District Judge. Restoring the earlier terminated appointment of Arbitrator on 10.2.2022 is also without basis.

[11] It is submitted that the same is against the settled principles of law and the order which is not challenged cannot be set aside. It is submitted that in terms of the impugned order dated

12.03.2025, the earlier Arbitrator vide order dated 18.3.2025 fixed next date for arbitration proceedings on 9.4.2025. It is submitted that if the impugned order and subsequent proceedings are not stayed, it will cause further complications.

[12] This court has considered the materials on record and provisions of law and submissions made at the Bar. The impugned order dated 12.3.2025 passed by the learned District Judge, Imphal West and subsequent order passed by the learned Arbitrator on 18.3.2025 fixing next date for arbitration proceedings on 9.4.2025 are stayed till the next date.

Furnish a copy of this order to learned counsel for the petitioner through WhatsApp.

JUDGE

*Priyojit*