

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	27.03.2026		<p>ARBAP No. 32 of 2025</p> <p>M/s Woodhill Infrastructure Ltd. ----- applicant Vs Superintending Engineer PWD ----- respondent</p> <p><u>Hon'ble Manoj Kumar Gupta, C.J.</u></p> <p>1. Mr. Rohit Arora, learned counsel for the applicant.</p> <p>2. Mr. B.S. Parihar, learned Additional Chief Standing Counsel for the State.</p> <p>3. Under the arbitration clause the arbitration has to be done by arbitral tribunal consisting of three arbitrators, one each to be appointed by the employer and the contractor and, the third arbitrator to be chosen by the two arbitrators so appointed by the parties. The applicant has appointed its arbitrator and has conveyed the same to the respondent vide notice dated 14.02.2025. However, the respondent has not appointed its arbitrator so far on the pretext that work is not complete and that the applicant owes certain amount to the department.</p> <p>4. The submission of learned counsel for the applicant is that the said plea could form</p>

subject matter of arbitration but on the said ground the respondent cannot refuse to appoint its arbitrator.

5. The submission appears to have force.

6. By way of last opportunity two weeks' time is granted to the respondent-department to name its arbitrator so that the two arbitrators appointed by the parties may appoint a presiding arbitrator and the arbitration could commence.

7. Learned State counsel Mr. B.S. Parihar undertakes to communicate the instant order to the respondent so that necessary action is taken by the next date. He will also obtain instructions in this regard from the department and inform the Court accordingly.

8. List after three weeks.

(Manoj Kumar Gupta, C.J.)

27.03.2026

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