

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

ARBITRATION PETITION NO. 65 OF 2026

M/S. HANGZHOU QIANG TANG
RIVEN ELECTRIC GROUP CO LTD

PETITIONER(S)

VERSUS

MADHUCON PROJECTS LIMITED &
ANR.

RESPONDENT(S)

O R D E R

1. This petition has been filed under section 11(6) of the Arbitration and Conciliation Act, 1996 (1996 Act) seeking appointment of a nominee Arbitrator on behalf of the Respondents for the adjudication of disputes that have arisen between the parties.
2. The Petitioner is a company incorporated under the laws of the People's Republic of China and is engaged in the manufacture of 'power and distribution transformers'. Respondent No. 1 is an Indian company, based in Khammam, Andhra Pradesh, involved in the infrastructure and construction business. Respondent No. 2 is also an Indian company, providing services, resources, and assistance for setting up thermal power plants.

Signature Not Verified
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NITIN TALWAR
Date: 2026.10.16
17:08:30 IST
Reason: []

Two Tripartite Agreements dated 13.02.2009 and 16.07.2010 (the
Subject Agreements) were executed between the Petitioner (as

manufacturer), Respondent No. 1 (as buyer), and Respondent No. 2 (as supplier) for the purchase of transformers, allied equipment, and ancillary services for a coal-fired thermal power plant of M/s Simhapuri Energy Private Limited. Under Article 17.2 of the Subject Agreements, the disputes arising out of the Subject Agreements would be finally settled exclusively by arbitration. The arbitral tribunal is to consist of three arbitrators, with the seat of arbitration being in Hyderabad, India.

4. It is the Petitioner's case that despite performing its obligations under the Subject Agreements, the Respondents failed to pay the bills raised by the Petitioner in terms of the billing schedule, leaving a sum of USD 629,874.10 outstanding.
5. The Petitioner initially issued a legal notice dated 08.05.2023 calling upon the Respondents to clear the outstanding amounts. However, due to non-compliance by the Respondents, the Petitioner invoked the arbitration clause through notice dated 16.07.2023. The Petitioner appointed Mr. Alladi Ravinder, Senior Advocate, as its nominee arbitrator and called upon the Respondents to nominate their nominee arbitrator. The

Respondents have statedly not replied to the said notice, leading to the Petitioner filing the instant Petition.

6. We have heard learned Counsel for the parties and perused the material placed on record.
7. In view of the facts and circumstances recorded above, we deem it just and proper to allow the instant petition and appoint Justice R. Raghunandan Rao, former Judge of the Andhra Pradesh High Court, as the nominee arbitrator on behalf of the Respondents. In the interest of expediency, we also appoint Justice Matam Venkata Ramana, former Judge of the Andhra Pradesh High Court, as the presiding arbitrator. The arbitral tribunal of three learned arbitrators shall, thus, adjudicate the disputes between the parties arising out of the Subject Agreements. The seat and venue of the arbitration, in accordance with the said Subject Agreements, shall be Hyderabad, India.
8. It is clarified that the Arbitral Tribunal shall, as a preliminary issue, examine the scope of the arbitration, including whether the Petitioner is entitled to invoke the arbitration clause and whether the Petitioner falls within the

definition of "parties" for the purposes of reference of a dispute to the Arbitrator.

9. All rights and contentions of the parties, including their respective claims, counterclaims, and defences, as well as the objections of Respondent No.1 as to the existence and scope of the arbitration agreement, the effect of Article 17.4, and limitation, are left open for determination by the learned Arbitral Tribunal. The observations made hereinabove are *prima facie* and shall not influence the Arbitral Tribunal in its adjudication.

10. The Arbitral Tribunal shall be at liberty to fix its fee.

11. Pending application(s), if any, stand disposed of.

.....CJI.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.

(V. MOHANA)

NEW DELHI;
OCTOBER 05, 2026.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Arbitration No(s). 65/2026

M/S. HANGZHOU QIANG TANG RIVEN ELECTRIC GROUP CO LTD Petitioner(s)

VERSUS

MADHUCON PROJECTS LIMITED & ANR.

Respondent(s)

(IA No. 234318/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 05-10-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
 HON'BLE MR. JUSTICE JOYMALYA BAGCHI
 HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) : Mr. Vikas Mehta- 1435, AOR
 Mr. Basa Mithun Shashank, Adv.

For Respondent(s) : Mr. Gaurav Agarwal, Sr. Adv.
 Mrs. B. Geeta, Adv.
 Ms. Kirti, Adv.
 Mr. Rajshri, Adv.
 Mr. Sadineni Ravi Kumar- 2106, AOR

 Mr. Abhinav Mukerji, Sr. Adv.
 Ms. Archita Nigam, Adv.
 Mr. Nachiker Kaul, Adv.
 Ms. B. Geeta, Adv.
 Mr. Kumar Abhishek, Adv.
 Mr. Sadineni Ravi Kumar, AOR

UPON hearing the counsel the Court made the following

O R D E R

The Petition is allowed in terms of the signed order.

Pending application(s), if any, shall stand closed.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR

(Signed order is placed on the file)