



Serial No. 09
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Arb. P. No. 7 of 2026

Date of Decision: 24.08.2026

M/s N.K. Chowdhury,
Through its Sole Proprietor,
Shri Vibhat Chowdhury,
S/o Nirmal Kumar,
R/o Howell Road, Near Laban Police Station,
Laban, Shillong-793004,
East Khasi Hills District, Meghalaya

Being represented by Shri Debanga Nazir,
S/o (L) Dibakar Nazir,
R/o Rongdoi, Nazir Chuck, Rangdai,
Bamun Gaon, Jorhat, Assam-785101,
Vide Authority Letter dated 17.07.2026.

... Petitioner(s)

Versus

1. Union of India,
Through the Chief Engineer (AF) Shillong Zone,
Military Engineering Services,
Elephant Falls Camp, P.O. Nonglyer,
Shillong, Meghalaya-793009.

2. Engineer-in-Chief
Military Engineering Services
Army HQ, Kashmir House, Rajaji Marg,
PO DHQ New Delhi-110 011.

... Respondent(s)



Coram:

Hon'ble Mr. Justice H. S. Thangkhiew, Judge

Appearance:

For the Petitioner(s) : Mr. H. Dholkawala, Adv. with
Mr. M.U. Ahmed, Adv.

For the Respondent(s) : Dr. N. Mozika, DSGI with
Ms. C. Jala, Adv.

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| i) | Whether approved for reporting in
Law journals etc: | Yes/No |
| ii) | Whether approved for publication
in press: | Yes/No |
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JUDGMENT AND ORDER

1. This application has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (A&C Act) seeking appointment of an Arbitrator for adjudication of the disputes between the petitioner and the respondents in accordance with the A&C Act, arising out of the work under CA No. CE(AF)SZ/KUM/11 of 2018-19 dated 30.07.2018, together with the entire Contract Agreement.

2. In the course of the proceedings, the learned counsel for the parties have agreed that Hon'ble Mr. Justice B.D. Agarwal Judge (Retd.), be appointed as the sole arbitrator to adjudicate the matter.



3. In the circumstances, this application is finally disposed of by referring the disputes and differences to the sole arbitrator; and hereby orders as follows: -

- i) Hon'ble Mr. Justice B.D. Agarwal Judge (Retd.), is hereby appointed as the Sole Arbitrator to adjudicate upon the disputes and differences between the parties arising out of, and in connection with the Agreement referred to above.
- ii) A copy of this order will be communicated to the learned Sole Arbitrator by the petitioner within a period of 2(two) weeks, from the date of this order, along with contact details and other particulars of the parties to the Arbitral Tribunal alongwith a copy of this order.
- iii) The learned Sole Arbitrator is requested to forward the Statutory Statement of Disclosure under Section 11(8) read with Section 12(1) of the A&C Act, 1996 to the advocates for the applicant, so as to enable them to file the same in the Registry of this Court, which shall retain the same in the file of this application, and a copy be furnished by the advocate for the applicant to the respondents.
- iv) The parties shall appear before the learned Sole Arbitrator on such date and at such place as indicated, to obtain appropriate



directions with regard to conduct of the arbitration, including fixing a schedule for pleadings, examination of witnesses, if any, schedule of hearing etc.

- v) All arbitral costs and fees of the Arbitral Tribunal shall be borne by the parties equally in the first instance and shall be subject to any final Award that may be passed by the Tribunal in relation to costs.

4. As ordered above, the instant application accordingly stands disposed of.

JUDGE

Meghalaya
24.08.2026
"V. Lyndem-AR-PS"