

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2026
SPECIAL LEAVE PETITION (C) NO. _____ OF 2026
[DIARY NO. 71235 OF 2025]

THE INDIAN HUME PIPE COMPANY LIMITED Appellant(s)

VERSUS

BHILAI MUNICIPAL CORPORATION & ANR. Respondent(s)

O R D E R

1. Delay condoned.
2. Leave granted.
3. This appeal has been filed against the impugned Judgment dated 19.06.2025, by which the High Court has dismissed the writ petition filed by the appellant under Article 226 of the Constitution of India on the ground that the same involves disputed questions of fact, which cannot be adjudicated in a writ petition.
4. Brief facts leading to filing of this appeal, in a nutshell, are that the Bhilai Municipal Corporation (in short, "the Corporation") issued two work orders on 29.11.2016 and 22.07.2017 in favour of the appellant for the design, laying, jointing, interconnection, testing and commissioning of clear water rising main under the Bhilai Augmentation of Water Supply Scheme Part II and for providing the design and construction of 10 nos. of PHSR in the

Bhilai Municipal areas.

5. According to the appellant, it successfully completed the works awarded to it on 30.11.2020 and 04.08.2021.
6. The Corporation, on 20.02.2022 and 20.09.2022 approved the release of payments in favour of the appellant towards GST Reimbursement, RA Bill-17 and 18, retention money and hydrotesting charges. However, the Corporation failed to release the aforesaid amount.
7. The appellant, thereafter, submitted representations on various dates between 14.03.2024 to 01.01.2025 seeking payment of final bills and other dues. However, the representations submitted by the appellant failed to evoke any response. Thereupon, the appellant filed a writ petition seeking a direction to the respondents to make the payment of the admitted dues, due to it under the contracts awarded to it.
8. The High Court, by the impugned order dated 19.06.2025, *inter alia*, held that the disputed questions of fact arise for determination which cannot be adjudicated in a writ petition. The writ petition was, accordingly, disposed of with a liberty to the appellant to take recourse of such

other remedy as may be available to it in law.

9. In the aforesaid factual background, this appeal has been filed before this Court.
10. We have heard learned senior counsel appearing for the parties at length. By an order dated 05.05.2026, we had directed the Corporation to file a short affidavit indicating the admitted amounts which may be payable to the appellant.
11. In pursuance of the aforesaid order, two affidavits dated 04.05.2026 and 18.05.2026 have been filed before us. We are not inclined to go into the details of the averments made in the affidavits, as in our opinion, in the facts and circumstances of the case, the disputes between the parties can be resolved through Arbitration.
12. We, therefore, appoint Mr. Jaideep Gupta, learned senior counsel, as an Arbitrator to adjudicate the disputes between the parties. The appellant is at liberty to file written claim statement and other documents, including the affidavits filed before this Court, before the learned Arbitrator. Equally, the respondents will also be entitled to file their suitable response to the claim. The remuneration shall be determined by the learned Arbitrator in consultation with the parties. The learned

Arbitrator is requested to conclude the proceedings within six weeks from today.

13. In view of above, the civil appeal stands disposed of.

14. Pending interlocutory application(s), if any, is/are disposed of.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[ALOK ARADHE]

NEW DELHI;
JULY 14, 2026.

ITEM NO.27

COURT NO.5

SECTION IV-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 71235/2025

[Arising out of impugned final judgment and order dated 19-06-2025 in WPC No. 2591/2025 passed by the High Court of Chhatisgarh at Bilaspur]

THE INDIAN HUME PIPE COMPANY LIMITED
VERSUS

Petitioner(s)

BHILAI MUNICIPAL CORPORATION & ANR.

Respondent(s)

IA No. 2913/2026 - CONDONATION OF DELAY IN FILING
IA No. 2914/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT, IA No. 2915/2026 - EXEMPTION FROM FILING O.T.

Date : 14-07-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ALOK ARADHE

For Petitioner(s) : Mr. Ajit Sinha, Sr. Adv.
Mr. R. Sudhinder, Adv.
Ms. Ekta Bhasin, Adv.
Ms. Aastha Trivedi, Adv.
Mr. R. Gopalakrishnan, AOR

For Respondent(s) : Mr. Kaustubh Shukla, AOR
Ms. Pushpanjali Singh, Adv.
Mr. Vipul Kumar, Adv.
Ms. Gursimrat Kaur, Adv.
Ms. Shruti Tripathi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The civil appeal is disposed of in terms of the signed order.
3. Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
ASTT. REGISTRAR-cum-PS

(NIDHI WASON)
ASSISTANT REGISTRAR

(Signed order is placed on the file)