

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s). \_\_\_\_\_ OF 2026  
(@ SPECIAL LEAVE PETITION (CIVIL) NO(s).12016/2026)

VARUN GUPTA AND CO.

APPELLANT(S)

VERSUS

UNION OF INDIA & ANR.

RESPONDENT(S)

O R D E R

1. Leave granted.

2. Heard Mr. Ganesh Khanna, learned counsel appearing for the appellant, and Mr. Anil Kaushik, learned Additional Solicitor General appearing for the Union of India.

3. By the impugned order, the High Court has appointed an arbitrator from CPWD. The appellant is aggrieved because CPWD is the department in question and the individual appointed by the High Court was employed with CPWD, which is contrary to decisions of this Court.

4. When the matter came up before us, we put it to Mr. Anil Kaushik, learned Additional Solicitor General, as to whether any other independent arbitrator who is not involved with CPWD could be considered and a consensus arrived at.

5. Today, the parties have jointly reported that all disputes between the parties would be referred to Major General K. Gajria, ADGTE, Army (Corps of Engineers).

6. In view of the above, in supersession of the order of the High Court, we direct as follows:

(i) Major General K. Gajria, ADGTE, Army (Corps of Engineers), is appointed as sole arbitrator to arbitrate the dispute.

(ii) The parties shall get in touch with the learned Arbitrator.

(iii) The fees of the learned Arbitrator shall be fixed in terms of the Fourth Schedule to the Arbitration and Conciliation Act, 1996.

(iv) Learned counsel appearing for the appellant submits that the statement of claim has already been filed before the erstwhile Arbitrator. Their claim and other documents shall be transferred to the newly appointed Arbitrator.

7. The impugned order dated 17.10.2025 shall stand set aside. The appeal stands disposed of in the above terms.

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

.....J.  
(K.V. VISWANATHAN)

.....J.  
(ARUN PALLI)

NEW DELHI  
23-09-2026

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

Petition(s) for Special Leave to Appeal (C) No(s).12016/2026

[Arising out of impugned final judgment and order dated 17-10-2025 in CMP No.336/2024 passed by the High Court of Karnataka at Bengaluru]

VARUN GUPTA AND CO.

PETITIONER(S)

VERSUS

UNION OF INDIA & ANR.

RESPONDENT(S)

IA No. 69932/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 69936/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 23-09-2026 This matter was called for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN

HON'BLE MR. JUSTICE ARUN PALLI

For Petitioner(s) : Mr. Ganesh Khanna, Adv.  
Mr. Himanshu Bhushan, AOR  
Mr. Himanshu Vashistha, Adv.  
Mr. Gaurav Kumar, Adv.  
Mr. Satyabeer Singh, Adv.  
Mr. Shakti Narayanan, Adv.

For Respondent(s) :  
Mr. Anil Kaushik, A.S.G.  
Ms. Madhulika Upadhyay, AOR  
Mr. B.k.satija, Adv.  
Mr. Shubhranshu Padhi, Adv.  
Mr. Prashant Singh-ii, Adv.  
Mr. Kamal Kishore, Adv.

Mr. Sudarshan Lamba, AOR

O R D E R

1. Leave granted.
2. The appeal is disposed of in terms of the signed order, which is placed on the file.

**3. Pending application(s), if any, shall stand disposed of.**

**(D. NAVEEN)  
COURT MASTER (SH)**

**(NIKITA SINGH)  
COURT MASTER (NSH)**