
(2021) 08 UK CK 0096

In the Uttarakhand High Court

Case No : Arbitration Application No. 21 Of 2020

Mahendra Singh Rana

APPELLANT

Vs

Cantonment Board, Dehradun

RESPONDENT

Date of Decision : 06-08-2021

Acts Referred:

Arbitration And Conciliation Act, 1996 — Section 11(6), 11(8), 12(5)

Citation : (2021) 08 UK CK 0096

Hon'ble Judges : Raghvendra Singh Chauhan, CJ

Bench : Single Bench

Advocate : Mahanand Joshi, Kanti Ram, B.S. Adhikari

Final Decision : Disposed Of

Judgement

S. No., Work Order, "Amount/Value

(in INR)", Amount of Bill (in INR), Date of Bill

1., "Improvement of children park

and shops below Cantt. Octroi

Post Kailana (05th April,

2017)", "1,29,98,000/-", "12,58,593.93/-",

2., "Repairs of 6 Nos. Old

dustbins at various places in

Cantt. Area (18th September,

2017)", "6,37,800/-", "6,64,930.07/-", 25.06.2018

3., "Providing 10 Nos. Dustbin at

various places in Cantt. Area

and parapet wall (18th
September, 2017)", "4,93,310/-", "5,06,437.95/-", 20.06.2018

4., "Providing street light point in
Cantt. Area 10 Nos. (17th
November, 2017)", "6,06,900/-", "6,46,295.48/-", 20.06.2018

5., "Providing fencing of angle iron
and barbed wire around Patia
Dhar Cantt. Garden (17th
November, 2017)", "55,04,000/-", "19,03,150/-", 30.12.2018

6., "Shops into Community Hall
below Cantt. Oct. Post
Kailana (Children Park) (5th
March, 2018)", "17,79,000/-", "19,56,900/-", 30.12.2018

7., "Three Boar Well Flate at
Cantt. Area (05th March,
2018)", "10,24,200/-", "11,04,111.50/-", 28.06.2018

8., "Providing white washing etc.
of Cantt. Fund Qtrs,
School's Office Board
Room parapet wall retaining
wall (CBR 23rd May, 2018)", "23,12,800/-", "25,14,167.83/-", 21.03.2019

9., "Repairs to retaining wall
which has been totally
damaged due to heavy rainfall
below Chinta Haran Temple
(14th October, 2018)", "1,84,600/-", "1,94,075.95/-", 26.10.2018

10., "Retaining Wall for perfect
erosion below hill side building
path of Children Park to
damage due to heavy rainfall

(14th October, 2018)", "11,10,900/-", "12,09,935.35/-", 28.10.2018

11., "Providing mild steel railing and

flooring and chequered tiles at

Children Park Kailana (14th

October, 2018)", "18,18,100/-", "19,83,666.27/-", 27.10.2018

12., "Providing retaining wall at

Khadra Patiya Dhar Garden

Road damaged due to

landslide by heavy rainfall

(14th October, 2018)", "8,52,300/-", "6,69,868.28/-", 29.10.2018

13., "Protect Road by wire

mattresses at Khadra Patiya

Dhar Garden Road damaged

due to landslide by heavy

rainfall (14th October, 2018)", "1,54,700/-", "1,68,776.21/-", 25.10.2018

14., "Estimate for repair to retaining

wall which has been totally

damaged due to heavy rainfall

at Bear Goudown above

Safaiwala Qtrs. and shops

(14th October, 2018)", "7,34,500/-", "7,59,202.98/-", 03.03.2019

Total Amount of Works,, "3,02,11,110/-", "1,55,40,112.19/-",

contention raised by the learned counsel for the respondent is clearly unacceptable.,,,,

19. Admittedly, the disputes continue to exist between the parties. Obviously, the dispute needs to be resolved through the arbitral proceedings." ,,,,

Therefore, this Court appoints Mr. B.C. Kandpal, Retd. Judge, High Court of Uttarakhand, R/o 117 Rajeshwar Nagar, Phase-I, Sahastradhara Road," ,,,,

Dehradun, as the sole Arbitrator after his disclosure in writing is obtained in terms of Section 11(8) of the Act; and only after receipt thereof, shall his" ,,,,

appointment, as an arbitrator, come into force." ,,,,

20. On giving consent to arbitrate the disputes between the parties, Mr. B.C. Kandpal, Retd. Judge, High Court of Uttarakhand, R/o 117 Rajeshwar",,,,

Nagar, Phase-I, Sahastradhara Road, Dehradun, shall enter reference, and shall pass an award in accordance with law. The learned arbitrator shall",,,,

fix his fees in consultation with both the parties.,,,,

21. The arbitration application is disposed of accordingly.,,,,