2026:UHC:7607

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

HON'BLE THE CHIEF JUSTICE SRI MANOJ KUMAR GUPTA

21st August, 2026

ARBAP NO. 16 OF 2025

M/s KEC-WATERLEU JV and others. ...Applicants

Versus

Uttarakhand Urban Sector Development Agency (UUSDA) ...Respondent

Counsel for the applicants : Sri Dilip Niranjan, learned counsel (through V.C.).
Counsel for the respondent : None

JUDGMENT :

1. The present application, under Section 11 of the Arbitration and Conciliation Act, 1996, has been filed by the applicant for appointment of an arbitrator for deciding the disputes and differences arising between the parties out of the joint venture agreement.

2. Present application was filed in the month of March, 2025. On 21.04.2025, none was present on behalf of the applicant and, therefore, the matter got adjourned. On 23.05.2025, the order was passed directing the applicant to take steps to serve the respondent. However, steps have not been taken so far to serve the respondent. Again on 17.10.2025, none was present on behalf of the applicant. On 31.10.2025, the matter was again adjourned on the ground that the parties were exploring for an amicable settlement.

3. Today, on the matter being taken up, Sri Dilip Niranjan, learned counsel for the applicant, again seeks adjournment on the ground that the parties are negotiating for an amicable settlement.

4. As the applicant is getting the present matter adjourned for one reason or the other and now, according to counsel for the applicant, the parties are still in the process of negotiating for an amicable settlement, therefore, no purpose is going to be served by keeping the instant matter pending. It is, accordingly, rejected at this stage, with liberty reserved in favour of the applicant to file a fresh application for appointment of an arbitrator, in case the parties fail to arrive at any amicable settlement.

5. Pending application, if any, also stands dismissed accordingly.

MANOJ KUMAR GUPTA, C.J.

Dt: 21st August, 2026
Rathour

PRAVINDRA SINGH RATHOUR