IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Arbitration Case No. 142 of 2026
Decided on : 27.07.2026

The Executive Engineer, Kaza Division ...Petitioner.

Versus

Sh. Nawang Cherring .....Respondent.

Coram
Hon'ble Mr. Justice Romesh Verma, Judge.
Whether approved for reporting?[1]

For the petitioner: Mr. Arsh Chauhan, Advocate.
For the respondent: Ms. Meenakshi Sharma, Advocate.

Romesh Verma, Judge(oral)

Notice.

2. Ms. Meenakshi Sharma, Advocate, appears and waives service of notice on behalf of the respondent.

3. In view of nature of order being passed hereinafter no reply is required to be called from the respondent. With consent of learned counsel for the parties, matter is heard at this stage.

4. Petitioner/State, which is the respondent before the learned Arbitrator, has moved the present petition under Section 27 of the Arbitration and Conciliation Act, 1996, seeking issuance of process to the witness details whereof have been given in para 3 of the petition, to attend the learned Arbitral Tribunal on 10.08.2026 in the office of Superintending Engineer (Arbitration), HPPWD, Solan,

[1] Whether reporters of Local Papers may be allowed to see the judgment?

High Court of H.P.

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H.P. for recording his statement in the arbitration proceedings pending before the learned Arbitrator.

5. The averments made in the petition, duly supported by an affidavit, read along with the order passed by the learned Arbitrator on 17.07.2026, suggest that the persons named in Para 3 of the petition, namely, Er. Dinesh Kumar Sen (Retd), S/O Sh. Bhim Sen, Village and Post Office Kotgarh, Tehsil Kumarsain, is required to give his evidence in the arbitration proceedings, and without issuance of the summons from this Court, the same would not be possible.

6. Consequently, in view of the above, the present petition is allowed. It is directed to issue process to the person named in Para 3 of the petition asking him to appear before the Learned Arbitrator on 10.08.2026 at 11:00 AM in the Office of Superintending Engineer(Arbitration) HPPWD, Solan to depose in the arbitration case. Dasti summons be also issued to the petitioner on steps being taken within two days.

7. The petition stands disposed of. In the aforesaid terms, so also the pending miscellaneous application(s), if any.

(Romesh Verma)
Judge

July 27, 2026
(Nisha)

High Court of H.P.

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