GVV Constructions v Union of India
Facts of the Case
Tender and Agreement
Railway track doubling work
Contract Agreement Nov 2017
Termination and Penalties
Clause 62 GCC termination
Forfeited performance guarantee
Legal Actions
Article 226 writ petition
Arbitration invocation
Sole Arbitrator appointment
High Court - Single Judge Order
Key Issues
Writ jurisdiction scope
Procedural non-compliance
Findings
Writ petition dismissed
Complex factual disputes
No irregularity in termination
High Court - Division Bench Judgment
Key Issues
Validity of Single Judge findings
Prejudice to Arbitral Forum
Findings
Paragraph 35 set aside
Liberty to arbitrate
Strict adherence to contract terms
Supreme Court Judgment
Key Issues
Encroachment on arbitral jurisdiction
Article 226 review scope
Determination of excepted matters
Holdings
Kompetenz-Kompetenz reaffirmed
Writ court boundaries defined
Section 16 jurisdiction confirmed
Precedents distinguished
No view on substantive merits