

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

ARB-103-2014

Date of decision:- 16.01.2015

National Building Construction Corporation Ltd.

...Petitioner

Versus

Punjab Health Systems Corporation and another

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE

Present: Mr. P.S. Rana, Advocate,
for the petitioner.

Ms. Jasleen Kaur Chandok, Advocate,
for the respondents.

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S.J. VAZIFDAR, A.C.J. (ORAL)

This is an application under Section 11 of the Arbitration and Conciliation Act, 1996.

The parties had entered into a construction contract clause 25 whereof contained the arbitration agreement. There are serious disputed questions of fact which fall within the purview of the arbitration clause. One of the disputes is the question of limitation.

In the facts and circumstances of the case, it is not possible to decide conclusively one way or the other on the question of limitation. The issue of limitation can also be decided by the arbitrator.

The disputes and differences stand referred to a sole arbitrator to be appointed by the Managing Director of the respondent No. 1 –Punjab Health Systems Corporation within six weeks from today. The petitioner has no objection to the same.

The petition is accordingly disposed of.

**(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE**

16.01.2015

Amodh