

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Arbitration Case No. 104 of 2014 (O&M)

Date of Decision: 16.01.2015

Reet Mahinder Singh and another

..Petitioners

Versus

State of Punjab and others

..Respondents

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

Present : Mr. H.S.Jugait, Advocate, for the petitioner.
Mr. J.S.Puri, Addl. Advocate General, Punjab,
for respondent No.1.
Mr. Anupam Singla, Advocate, for respondents No.2 & 3.

S.J.VAZIFDAR A.C.J. (Oral)

This is a petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short 'the Act') for appointment of the sole Arbitrator in accordance with the arbitration Clauses 14 and 20 of two Arbitration Agreements. Both the agreements have been entered into between the petitioners on one hand and respondent No.3 on the other. Infact, separate petitions under Section 11(6) of the Act ought to have been filed.

2. Both the arbitration agreements are admitted between the parties. In one agreement, Clause 14 contains the arbitration agreement whereas in the other Clause 20, contains the arbitration agreement. Under both the agreements, Financial Commissioner (Development), Punjab or any person appointed by him is to be the Arbitrator.

3. In the circumstances, the petition is disposed of with the following directions:-

- i) The disputes and differences under each of the agreements are referred to the sole arbitration of

Financial Commissioner (Development), Punjab or any person to be appointed by him.

- ii) The Financial Commissioner (Development), Punjab shall inform the petitioners within a period of four weeks from today as to who is the sole Arbitrator. The disputes and differences shall stand referred to such person.
- iii) Separate arbitration awards shall be passed by the Arbitrator in respect of each agreement unless otherwise agreed to by the parties.

16.01 2015
'ravinder'

(S.J.VAZIFDAR)
ACTING CHIEF JUSTICE