

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

ARB-200-2014 (O&M)

Date of decision:- 18.09.2015

The Siwara Luxmi Co-op. L&C Society Ltd.

...Petitioner

Versus

State of Haryana and others

...Respondents

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

Present: Mr. Vivek Khatri, Advocate,
for the petitioner.

Mr. Rahul Dev Singh, Deputy Advocate General, Haryana.

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

This is a petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 (in short the Act) for the appointment of an arbitrator.

2. Learned State counsel appearing on behalf of the respondents states that the petitioner has not even referred the matter to the engineer or to the adjudicator.

3. The petitioner is at liberty to first adopt the steps contemplated in clause 19 of the agreement and thereafter seek appointment of the arbitrator, if necessary, in accordance with the contract including clauses 19.5 to 21 B.

4. The petitioner may do so by filing a fresh petition under Section 11 of the Act.

5. Disposed of.

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

18.09.2015

Amodh