

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

ARB-19-2016 (C&M)
Date of decision: - 02.09.2016

Jai Narain Goel
... Petitioner
Versus
PWD Public Health Engineering Division, Ambala Cantt.
through its Executive Engineer.
... Respondents

CORAM HONBLE MR. JUSTICE S. J. VAZIDAR, CHIEF JUSTICE

Present:- Mr. Abhilaksh Grover, Advocate,
for the petitioner.
Mr. Deepak Balyan, Additional Advocate General,
Haryana.
* * * *

S. J. VAZIDAR, C. J. (ORAL)

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

2. The parties had admittedly entered into an agreement. Clause 25-A contains an arbitration agreement. The petitioner referred the disputes initially to the Executive Engineer, Public Health Engineering Division, Ambala Cantt. There was no reply from the Executive Engineer. The petitioner, therefore, by a notice dated 27.10.2015 addressed to the Executive Engineer invoked the arbitration agreement.

3. Admittedly, to date an arbitrator has not been nominated by the respondent. It merely states that it is in the process of doing so. The respondent has, therefore, forfeited its right to appoint an arbitrator.

4. The petition is, therefore, disposed of by referring the disputes to the sole arbitration of Mr. B.M Bedi, a retired District and Sessions Judge, Haryana.

(S. J. VAZIDAR)
CHIEF JUSTICE

02.09.2016
Amodh

Whether speaking/reasoned	Yes/ No
Whether reportable	Yes/ No