

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

ARB-102-2017 (O&M)  
Date of decision:- 28.07.2017

M/s Subhash Infraengineers Pvt. Ltd.  
...Petitioner  
Versus  
Haryana Power Generation Corporation, Panchkula  
...Respondent

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

Present:- Mr. Gaurav Mohunta, Advocate,  
for the petitioner.  
  
Mr. Prateek Mahajan, Advocate,  
for the respondent.

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**S.J. VAZIFDAR, 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 entered into a contract which admittedly contains an arbitration clause. The respondent's Managing Director was entitled to appoint the arbitrator. He had, however, failed to do so despite the petitioner invoking the arbitration clause.

3. The dispute is whether the respondent rightly deducted amount(s) towards the Labour Welfare Cess. This is a dispute which the arbitrator should decide.

3. The petition is, therefore, disposed of by appointing Mr. M.K. Bansal, a retired District and Sessions Judge, Haryana, as the sole arbitrator.

(S.J. VAZIFDAR)  
CHIEF JUSTICE

28.07.2017  
Amodh

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |