

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

ARB-72-2017 (O&M)

Date of decision:- 01.09.2017

Krishan Kumar Government Contractor and Suppliers

...Petitioner

Versus

Improvement Trust, Rajpura, District Patiala through
its Executive Officer/Chairman and another.

...Respondents

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

Present:- Mr. Siddharth Joshi, Advocate,
for the petitioner.

Ms. Deepali Puri, Advocate,
for respondent No. 1.

Mr. Sahil Sharma, DAG, Punjab,
for respondent No. 2.

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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 petitioner contends that the following constitutes an arbitration clause:-

"In case of any dispute between both the parties the matter shall be referred to Principal Secretary, Local Government Pb. Chandigarh whose decision shall be final and binding upon both the parties."

3. This in my opinion is not an agreement to refer disputes and differences to arbitration. The parties had merely agreed to be bound by the decision of the Principal Secretary, Local Government, Punjab, Chandigarh and had agreed that his

decision would be final and binding upon the parties. There is no arbitration agreement.

4. The petition is accordingly disposed of.

(S.J. VAZIFDAR)
CHIEF JUSTICE

01.09.2017

Amodh

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