

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

FAO-CARB No.20 of 2018 (O&M)

Date of Decision: July 20, 2018

Chief Project Director, Railway Electrician Ambala and another
...Appellants

versus

M/s Kanohar-BPCL JV
....Respondent

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE SUDIP AHLUWALIA.**

Present: Mr.Sandeep Vermani, Advocate, for the appellants.
Mr.Sanjeev Sharma, Advocate, for respondent No.1.

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Surya Kant, J. (Oral)

CM No.53 of 2018

The application is allowed as prayed for.

CM No.54 of 2018

Notice to the respondent.

Mr.Sandeep Sharma, Advocate, accepts notice on its behalf. He
has no objection is delay of 02 days in filing the appeal is condoned.

Heard learned counsel for the parties.

For the reasons mentioned in the application, the same is
allowed and 02 days delay in filing the appeal is condoned.

CM stands disposed of.

CM No.55 of 2018 in/and
FAO-CARB No.20 of 2018

The short controversy involved in this appeal is that regardless
of an express clause contained in the agreement re: adjudication of the
appeal through Arbitrator, the appellants are alleged to have not appointed
the Arbitrator.

Learned counsel for the appellants, on instructions from Anil

Kumar Srivastava, DY.CEE/RE/Ambala, undertakes that the Arbitrator shall be appointed out of the approved panel within one month.

Ordered accordingly.

The Arbitrator is directed to give reasonable opportunity of hearing to both the parties and adjudicate the dispute within four months from the date of appointment. Learned Arbitrator shall be at liberty to decide all other allied issues also.

The appeal stands disposed of in above terms.

[SURYA KANT]
JUDGE

July 20, 2018
mohinder

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No