

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

ARB No.108 of 2018

Date of Decision:04.12.2019

SAT SAHIB CO-OP. L&C SOCIETY LTD.

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

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

Mr. Pankaj Mulwani, DAG, Haryana.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 11(6) of Arbitration and Conciliation Act, 1996 (for short-the Act) for appointment of an Arbitrator in a domestic commercial dispute.

The petitioner and the respondents entered into an agreement dated 27.09.2007 under which the petitioner was required to construct pavement of streets and drains in village Sundana, District Rohtak.

Admittedly, as per clause 25A of the agreement between the parties, in case any disputes arose between them, the same were to be resolved through arbitration.

On disputes having arisen between the parties, in terms of the afore-referred clause 25A of the agreement between them, the petitioner made a representation to the respondents for appointment of an Arbitrator. The respondents did not respond to the representation occasioning the filing of the present petition.

After hearing learned counsel for the parties, to adjudicate upon the disputes between them, Sh.V.K. Bhardwaj, Chief Engineer (Retd.) is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Sh.V.K. Bhardwaj, Chief Engineer (Retd.) under Section 12 of the Act with regard to his independence and impartiality to settle the dispute between the parties.

The Arbitrator is requested to complete the proceedings within the time limit specified under Section 29A of the Act.

The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.

As per agreement expressed by learned counsel for the parties for the sake of the convenience of their respective clients as also of the Arbitrator, the venue of the Arbitration shall be at Chandigarh, where Sh.V.K. Bhardwaj, Chief Engineer (Retd.) resides.

A copy of this order be forwarded to Sh.V.K. Bhardwaj, Chief Engineer (Retd.), at the given address:

House No.1059,
Sector 43B,
Chandigarh.

After seeking the convenience of the Arbitrator, the parties are directed to appear before the Arbitrator on 13.12.2019 at 11.00 A.M. or any other date suitable to all concerned.

The matter is disposed of in the above terms.

December 04, 2019

(DEEPAK SIBAL)
JUDGE

Jyoti-1 Whether speaking/reasoned Yes/No Whether Reportable Yes/No