

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

ARB No.20 of 2018 (O&M)

Date of Decision: November 29, 2019

M/s M.C. Impex

...Applicant

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. P.S. Rana, Advocate and
Mr. G.S. Rana, Advocate
for the applicant.

Mr. Pawan Kumar Garg, AAG Haryana
for the respondents.

JAISHREE THAKUR, J. (Oral)

This is an application that has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 for appointment of an Arbitrator.

As per the written statement filed on behalf of the respondents, they have appointed an Arbitrator in terms of clause 25(a) of the contract agreement vide order dated 28.12.2017 namely the Superintending Engineer, Public Health Engineering Circle, Gurugram.

Counsel for the applicant contends that in view of the amendment incorporated in sub-section (5) of Section 12 of the Act w.e.f. 23.10.2015, an employee of the respondents could not be appointed as an Arbitrator.

In view of the above, an independent Arbitrator is required to be appointed to resolve the disputes *inter se* the parties.

Accordingly, I hereby appoint Mr. Justice S.S. Saron, a retired Judge of this court, as a sole Arbitrator to settle the disputes between the parties. The fee etc. shall be as per the Chandigarh Arbitration Centre (CAC) Rules, 2018.

November 29, 2019
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No