

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

**CWP No. 26690 of 2018 (O&M)
Date of decision: 25.03.2019**

**Lord Krishana Enterprises, Engineers, Fabricators and Contractors
through its General Power of Attorney Sh. Rahul Mehta**

... Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

**Present: Mr. Shailendra Sharma, Advocate,
for the petitioner.**

Mr. Deepak Balyan, Additional A.G. Haryana.

KRISHNA MURARI, CHIEF JUSTICE (Oral)

Mr. Deepak Balyan, learned Additional Advocate General, appearing for the State of Haryana, at the outset, raised a preliminary objection that even before filing this writ petition, the petitioner himself, vide letter dated 19.9.2018, asked for appointment of an Arbitrator in view of Clause 25-A of the conditions of the contract agreement. Whereupon, vide order dated 23.10.2018, the Superintending Engineer, Public Health Engineering Circle, Palwal, was appointed to act as sole Arbitrator.

The abovesaid factual position has not been disputed by the learned counsel for the petitioner.

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Since the petitioner has already invoked the arbitration clause and an Arbitrator has already been appointed, we see no reason for this petition to continue any further for adjudication of the dispute, which can be more effectively gone into by the Arbitrator.

In view of the above, the writ petition is accordingly dismissed, leaving it open to the parties to raise their claims before the Arbitrator.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

March 25, 2019

AK Sharma

Whether speaking / reasoned:

YES

Whether Reportable:

NO