

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 218

ARB-189-2018

Date of decision : 24.02.2020

M/s Anil Kumar Gupta

..... Applicant

VERSUS

The Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Chetan Goel, Advocate, for the applicant.

Mr.Vivek Gupta, Advocate, for
Mr.A.K.Bansal, Advocate, for the respondents.

DEEPAK SIBAL, J. (ORAL)

The present application has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for short, the Act) for appointment of an Arbitrator.

Through work order dated 21.01.2011 the respondents required the applicant to do certain construction work on their behalf. As per such work order the general conditions of the contract in the printed form were to bind both the parties. As per clause 70 of the general conditions of the contract disputes between the parties were to be settled through the mode of arbitration.

Disputes having arisen between the parties the same were referred to be settled through Mr.A.K.Handa, who was unable to finally adjudicate upon them. Thereafter Mr.Ajay Rajvanshi was appointed as the sole Arbitrator to settle the disputes, who could not complete the arbitration proceedings within the time specified under Section 29A of the Act. The applicant then wrote to the respondents seeking appointment of an Arbitrator but when no such Arbitrator was appointed the present application was filed before this Court for the aforesaid relief.

At the outset, learned counsel for the parties submit that they have

express instructions from their respective clients that Mr.Rajiv Goyal, Superintending Engineer, Director (P&L), who is stationed at Chandimandir Cantonment, Panchkula be appointed as the sole Arbitrator to settle the disputes between them which are the subject matter of the present application.

In view of the afore agreement between the parties, Mr.Rajiv Goyal, Superintending Engineer, Director (P&L) is appointed as the sole Arbitrator.

A copy of this order be forwarded to Mr.Rajiv Goyal, Superintending Engineer, Director (P&L), Military Engineering Services, HQ CE Chandigarh Zone, 'N' Area, Airport Road, Chandigarh.

After seeking the convenience of the Arbitrator, the parties are directed to appear before him on 04.03.2020 or on any other date suitable to all concerned.

The matter is disposed of in the above terms.

24.02.2020
shamsher

[DEEPAK SIBAL]
JUDGE

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