

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

Sr. No.227

ARB-277-2018 (O&M)

Date of decision: 31.01.2020

M/s Brightway Contractors and Developers

....Petitioner

versus

The Superintending Engineer (Construction Circle), Public Work
Development (B&R), Amritsar and anotherRespondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Dheeraj Mahajan, Advocate
for the petitioner.

Ms. Anju Arora, Addl. A.G., Punjab.

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DEEPAK SIBAL, J. (Oral)

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

The respondents allotted to the petitioner the work of construction of Press Club Building at Amritsar. An agreement in this regard was entered into between the parties. Admittedly, as per clause 25 of such agreement the disputes between the parties were to be settled through the mode of Arbitration.

Disputes having arisen between the parties, the petitioner sent a legal notice to the respondents seeking resolution of the disputes and in the alternative for appointment of an Arbitrator. In response to such notice, no

Arbitrator was appointed, occasioning the filing of the present petition.

In response to the present petition, the respondents have filed a reply denying all claims raised by the petitioner both on the ground of limitation as also on merits.

After hearing learned counsel for the parties and without expressing any opinion on merits, for adjudicating the disputes between them, Justice Virender Singh, a former Chief Justice of Jharkhand High Court, is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Justice Virender Singh under Section 12 of the Act with regard to his independence and impartiality to settle the disputes 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 or as may be mutually settled by the parties and the Arbitrator.

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 Arbitration Centre, Chandigarh or at any other place convenient to all concerned.

A copy of the this order be forwarded to Justice Virender Singh, Chief Justice (Retd.) at the given address:

“H.No.233,
Sector-11,
Chandigarh
9431115601.”

After seeking the convenience of the Arbitrator, the parties are

directed to appear before him on 12.02.2020 at 11 A.M. or any other date
suitable to all concerned.

The matter is disposed of in the above terms.

January 31, 2020
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No