

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 208

ARB-311-2017 (O&M)

Date of decision : 28.01.2020

Jaiveer Singh

..... Petitioner

VERSUS

Engineer-in-Chief,
Haryana PWD Public Health Engg. Branch
and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Dinesh Arora, Advocate, for the petitioner.

Mr.Vishal Garg, Addl.A.G., Haryana.

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 in a domestic commercial dispute.

The parties entered into an agreement as per which the petitioner was to execute certain works for the respondents. Admittedly, as per Clause 25 of the agreement disputes between the parties were to be settled through the mode of arbitration.

Disputes having arisen between the parties, the petitioner invoked the aforesaid Clause 25 of the agreement and through notice dated 21.08.2017 required the respondents to appoint an Arbitrator. The respondents denied the petitioner's claim on merits as also on the ground of limitation and resultantly no Arbitrator was appointed occasioning the filing of the present petition.

After hearing learned counsel for the parties and with their consent, for adjudicating upon the disputes between the parties which arise from the aforesaid agreement, Mr.R.S.Virk, District & Sessions Judge (Retd.) is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Mr.Virk 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 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 Gurgaon.

A copy of the this order be forwarded to Mr.R.S.Virk, District & Sessions Judge (Retd.)at the given address:-

H.No. 7, Aaron Ville,
Fazilpur Road,
Sector 48, Gurgaon,
Haryana, 122001
(Mob. No. 09582255555)

After seeking the convenience of the Arbitrator, the parties are directed to appear before the Arbitrator on 12.02.2020 or any other date suitable to all concerned.

The matter is disposed of in the above terms.

28.01.2020
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[DEEPAK SIBAL]
JUDGE

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