

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-8965-CII of 2020 in/and
ARB No. 16 of 2020
Date of Decision:09.11.2020

M/S HARDEV SINGH AND COMPANY

.....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. R.K.Girdhar, Advocate
for the petitioner.

Mr. TPS Chawla, DAG., Punjab.

LISA GILL, J(Oral).

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

CM-8965-CII of 2020

Prayer in this application is for preponement of the main petition i.e. ARB No. 16 of 2020, which is listed for 19.01.2021.

Notice of the application.

Mr. TPS Chawla, DAG., Punjab, accepts notice on behalf of the respondent-State. No objection has been raised to the preponement of the hearing of the main petition.

Hearing of the main petition is preponed and on request of learned counsel for the applicant-petitioner, the matter is taken up today itself.

Application is accordingly disposed of.

ARB No. 16 of 2020.

Present is a petition under Section 11 read with Section 12 of

the Arbitration & Conciliation Act, 1996, for appointment of an independent Arbitrator (Technical Expert) to decide the dispute/claim of the applicant.

The contract had been awarded to the petitioner on 26.12.2014.

Learned counsel for the respondent-State, on instructions from Adarsh Kumar, Executive Engineer, Department of Water Supply and Sanitation, Division Malout, does not deny that the dispute has indeed arisen between the parties as per Clause 25 of the Conditions of Contract. Legal notice dated 04.09.2019, Annexure A-5, was served upon the respondent by the petitioner, but to no avail.

Learned counsel for the parties are *ad idem* that the matter be referred to the President of the Institution of Engineers (India).

Keeping in view the facts and circumstances of the case, this petition is disposed of, by referring the disputes and differences to the sole arbitration of the President of the Institution of Engineers (India).

09.11.2020

s.khan

[LISA GILL]

Judge

Whether speaking/reasoned : Yes/No.

Whether reportable : Yes/No.