

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

Sr. No.215

ARB-168-2019 (O&M)

Date of decision: 19.02.2020

Bhagwan Dass and Sons

....Applicant

versus

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. S.K.S. Bedi, Advocate
for the applicant.

Ms. Shweta Nahta, 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.

On 31.05.2012, the applicant's bid was accepted by the respondents with regard to construction of a compound wall in domestic area (MES & RR Lines and Pinto Lines) at Air Force Station, Ambala Cantt. Thereafter the parties entered into an agreement in this regard. Admittedly, as per the agreed terms between the parties disputes between them which were to arise in connection with the aforesaid work were to be settled through the mode of Arbitration.

Disputes having arisen between the parties, through notices

dated 16.01.2019 and 21.01.2019, the applicant invoked the arbitration clause and required the respondents to appoint an Arbitrator. When within 30 days of the receipt of either of the aforesaid notices no Arbitrator was appointed by the respondents the present application was filed for the aforesaid relief.

After hearing learned counsel for the parties, Justice M.S. Sullar, a former Judge of this Court, is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Justice M.S. Sullar 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 order be forwarded to Justice M.S. Sullar (Retd.) at the given address:

H. No. 220,
Sector-25,
Panchkula
(97800-08105)

After seeking the convenience of the Arbitrator, the parties are directed to appear before him on 02.03.2020 or on any other date suitable to

all concerned.

The matter is disposed of in the above terms.

February 19, 2020
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(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No