

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

ARB No.100 of 2018

Date of Decision:05.03.2020

M/S RAJA RAM & SONS PVT. LTD.

...Applicant

Versus

MILITARY ENGINEERING SERVICES

..Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Amit Jhanji, Advocate for the applicant.

Mr. Vivek Gupta, Advocate for
Mr. Ashwanie Kumar Bansal, Advocate
for the respondent.

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 12.10.2013/30.10.2013 the respondent awarded to the applicant the work of construction of the officers' mess at Air Force Station, Chandigarh. Thereafter, an agreement in this regard was signed between the parties which contained clause 70 as per which disputes between the parties were to be settled through the mode of arbitration.

Disputes having arisen between the parties, the applicant through notice dated 25.09.2017, invoked the arbitration clause and requested the respondent to appoint an Arbitrator but within 30 days of the receipt of the said notice when no Arbitrator was appointed the present

application was filed for the aforesaid relief.

After hearing learned counsel for the parties, Sh. Kuldip Singh, Chief Engineer, PWD, B&R (Retd.) is appointed as the sole Arbitrator. However, such appointment would be subject to the declaration to be made by Sh. Kuldip 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, the venue for the Arbitration shall be at Chandigarh.

A copy of the this order be forwarded to Sh. Kuldip Singh, Chief Engineer, PWD, B&R (Retd.) at the given address:

H.No.113, Sector-10-A,
Chandigarh.
Ph.-0172-2749842

After seeking the convenience of the Arbitrator, the parties are directed to appear before him on 20.03.2020 or on any other date suitable to all concerned.

The matter is disposed of in the above terms.

March 05, 2020

Jyoti-IV

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned Yes/No Whether Reportable Yes/No