

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

ARB-79-2020 (O&M)

Date of decision : 03.03.2021

CDS Infra Projects Limited

.....Applicant

Versus

The Chief Engineer (N.H.) Punjab PWD (B&R) Branch, Patiala

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE

Present: Mr. Aman Kashyap, Advocate,
for the applicant.

Mr. Avinit Avasthi, Assistant Advocate General, Punjab.

Mr. Shobit Phutela, Advocate,
for the respondent.

(The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court).

RAVI SHANKER JHA, CHIEF JUSTICE (Oral)

This is an application under Section 11 (6) of the Arbitration and Conciliation Act, 1996 filed by the applicant seeking appointment of an Arbitrator.

Learned counsel appearing for the parties conjointly submit that the attempt of conciliation has failed.

Learned counsel appearing on behalf of the Chief Engineer (N.H.) Punjab PWD (B&R) Branch, Patiala (respondent herein), on instructions, submits that as the attempt of conciliation has failed, the respondent would immediately take steps to appoint a person as an Arbitrator to fill up the vacancy that has arisen in the Arbitral Tribunal.

Learned counsel appearing on behalf of the applicant submits that the aforesaid statement of learned counsel for the respondent be taken on record and the application be disposed of directing the respondent to appoint an Arbitrator within a period of two weeks. He further submits that he has no objection if any person is appointed as an Arbitrator by the respondent to fill up the vacancy that has arisen in the Arbitral Tribunal

In view of the aforesaid and statement made by learned counsel for the respondent as well as the conjoint statement made by learned counsel for the parties, application is disposed of directing the respondent to appoint a person as an Arbitrator to fill up the vacancy that has arisen in the Arbitral Tribunal within a period of two weeks.

(RAVI SHANKER JHA)
CHIEF JUSTICE

March 03, 2021
ndj

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