

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

203

ARB Nos.358 of 2021

Decided on: 15.09.2021

Raghunath Goyal

... Applicant

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Vivek Khatri, Advocate for the applicant.

Mr. Rajneesh Chadwal, AAG, Haryana
for the respondents.

G.S. Sandhawalia, J. (Oral)

The present petition has been filed for appointment of an independent person as a sole Arbitrator under Section 11 (6) of the Arbitration and Conciliation Act, 1996 (for short 'the Act') for adjudicating the dispute between the parties.

The dispute arises between the parties arises out of the contract agreement for work of construction of workshop & laboratory block in the campus of Chaudhary Devi Lal Government Polytechnic at Nathusari Chopta Sirsa, District Sirsa. The agreement has been annexed as Annexure P-1 and the arbitration clause is contained in Clause-24 and 25.

It is the case of the applicants that vide Annexure P-2, the requisite demand had been made to the respondents to redress the dispute between the parties, initially on 17.02.2020.

The stand of the respondents/State in its reply is that the same had been responded to on 20.11.2020 (Annexure R-5).

A perusal of the same would also go on to show that the State had taken the stand that the building firm can apply for appointment of arbitration after getting the appeal decided from the Appellate Authority as per Clause 24.2.

For the reasons given above, Shri Krishanjit Singh, Chief Engineer (retd.), U.T. Chandigarh, resident of #140, Sector-40-A, Chandigarh, Mobile No.98142-16762, is appointed as an Arbitrator and he shall file the requisite declaration under Section 12 of the Act read with the fifth and sixth schedule in order to disclose his independence and impartiality to settle the dispute between the parties. The Arbitrator is also requested to complete the proceedings within the time specified under Section 29A of the Act. The fees of the Arbitrator shall be paid in accordance with the provisions of the Act and the Rules.

Copy of the order be forwarded to the said Arbitrator at the given address and to counsel for the parties also. After seeking the consent of the Arbitrator, the parties are directed to appear before the Arbitrator on 11.10.2021 at 10.00 a.m.

The petition stands disposed of, in the abovesaid terms.

September 15, 2021
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No