

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

ARB-12-2021 (O&M)
Date of decision:- 23.09.2022

M/s S & S Construction Co.

...Applicant(s)

Versus

Union of India and others

...Respondent(s)

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

Present:- Ms. Deepali Puri, Advocate,
Mr. Hari Singh, Advocate,
for the applicant.
Mr. Shobit Phutela, Advocate,
for the respondents.

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RAVI SHANKER JHA, C.J. (ORAL)

This is an application under Section 11(6) of the Arbitration and Conciliation Act, 1996 (in short the Act) for the appointment of an arbitrator.

The parties had admittedly entered into a contract/agreement dated 20.01.2012 (Annexure P-3) for provision of OTM Accommodation for Infantry Battalion at Ferozepur Cantt., clause 70 whereof provides for the appointment of an arbitrator for adjudication of disputes and differences between the parties through arbitration. In spite of the applicant's letter/notice dated 26.06.2020 (Annexure P-14) invoking the arbitration clause, the respondents failed to appoint the arbitrator. Hence, the present application.

In view of the consent of learned counsel for the parties, as recorded in the order dated 26.08.2022 passed by this Court, the necessary declaration under Section 12 of the Act was sought from Mr. Raghunath Prasad Tripathi, Former ADG (MES), E8/31, Basant Kunj, Arera Colony, Bhopal (Madhya Pradesh – 462039) which has been received and placed on record as 'X'.

In the circumstances, Mr. Raghunath Prasad Tripathi, Former ADG (MES), E8/31, Basant Kunj, Arera Colony, Bhopal (Madhya Pradesh – 462039) is appointed as an arbitrator to adjudicate upon the disputes and differences between the parties.

The application is, accordingly, disposed of.

(RAVI SHANKER JHA)
CHIEF JUSTICE

23.09.2022

Amodh Sharma

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