

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

ARB-60-2019 (O&M)
Date of decision:- 29.07.2022

PCP International Limited

...Applicant(s)

Versus

Municipal Corporation, Jalandhar and another

...Respondent(s)

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

Present:- Mr. Aman Pal, Advocate,
for the applicant.

Mr. Harinder Kumar Aurora, 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 an agreement dated 17.03.2017 (Annexure P-2), clause 22 (ii) whereof contains an arbitration mechanism. The applicant referred the dispute initially to the Commissioner, Municipal Corporation, Jalandhar as well as the Principal Secretary, Department of Local Government, Punjab in terms of clause 22 (i) (a) & (b) of the agreement, but to no avail. Therefore, the applicant by a notice dated 01.02.2019 (Annexure P-4) addressed to the Superintending Engineer, Municipal Corporation, Jalandhar, invoked the arbitration clause.

Learned counsel for the parties on 27.05.2022 had conjointly agreed to the appointment of Justice Jitendra Chauhan, a former Judge of this Court, as an arbitrator.

The necessary declaration under Section 12 of the Act, as sought from Justice Jitendra Chauhan, a former Judge of this Court, has been received and is placed on record as 'X'.

In the circumstances, in view of the previous order dated 27.05.2022, Justice Jitendra Chauhan, a former Judge of this Court, 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

29.07.2022

Amodh Sharma

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