

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

ARB-246-2022

Date of decision: 06.12.2022

M/s V.S.Saini Contractor

....Petitioner

Versus

Chief Engineer (PMGSY) Punjab Mandi Board and others

....Respondents

CORAM: HON'BLE MR.JUSTICE RAJ MOHAN SINGH

Present: Mr. Dheeraj Mahajan, Advocate for the petitioner.

Mr. Sanjeev Soni and Mr. Sarthak Soni, Advocates for
the respondents.

Raj Mohan Singh, J.(Oral)

(1) The petitioner has preferred this petition under Section 11 (6) of the Arbitration and Conciliation Act, 1996 for appointment of an Arbitrator to adjudicate the dispute between the parties arising out of the contract of agreement dated 26.11.2014. Existence of contract having arbitration Clauses No.24 and 25 is not in dispute. Admittedly, the petitioner has already invoked the arbitration Clauses on 09.05.2022.

(2) During the course of arguments, consensus has been arrived at between the parties that the dispute be referred to the sole Arbitrator where both the parties would take up their

respective grounds. Tentatively, value of the claim of the petitioner is ₹50 lacs. Respondents would also be at liberty to set up a counter claim before the Arbitrator in accordance with law.

(3) In view of the consensus arrived at between the parties, I deem it appropriate to appoint Sh.Amarjit Singh Katari, Addl.District Judge(Retd), H.No.145, Phase 3B-1, Sector 60, Mohali, Punjab Mobile No.9814112041 as the sole Arbitrator, to resolve the dispute/difference between the parties. The appointment of the Arbitrator shall be subject to the declaration to be made by him as required under Section 12 of Arbitration and Conciliation Act, 1996 in respect of his independence and impartiality to settle the dispute between the parties.

(4) The Arbitrator would complete the proceedings within the specified time in terms of Section 29-A of the Act. The Arbitrator shall be paid fee in accordance with the IVth Schedule of the Act as amended from time to time. The fee shall be borne by both the parties equally.

(5) The seat of the Arbitration shall be disclosed by the Arbitrator as per his/her convenience.

(6) A copy of this order be dispatched to the Arbitrator on the following address:-

Sh.Amarjit Singh Katari,
Addl.District Judge (Retd.)
H.No.145, Phase 3B-1,
Sector 60,
Mohali, Punjab
Mobile No.9814112041

(7) Petition stands disposed of accordingly.

06.12.2022
Meenu

(Raj Mohan Singh)
Judge

Whether speaking/non speaking : Yes/no
Whether reportable : Yes/No