

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

ARB-193-2019 (O&M)
Date of decision:- 26.08.2022

M/s DMR Builders Pvt. Ltd.

...Applicant(s)

Versus

The State of Punjab and others

...Respondent(s)

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

Present:- Mr. Rajesh Kumar Girdhar, Advocate,
for the applicant.

Mr. Avinit Avasthi, Assistant Advocate General, Punjab.

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RAVI SHANKER JHA, C.J. (ORAL)

This is an application under Section 11 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 (Annexure A/1), clause 25 whereof contains a dispute resolution mechanism. The applicant referred the dispute initially to the Executive Engineer, Construction Division (B&R) Branch, Gidderbaha, but to no avail. Therefore, the applicant by a letter/notice dated 25.04.2019 (Annexure A/10) addressed to the Secretary to Government of Punjab, Department of PWD (B&R), Branch, Chandigarh as well as the Chief Engineer (South), PWD (B&R) Branch, Patiala, invoked the arbitration clause.

Learned counsel for the parties on 22.07.2022 had conjointly agreed to the appointment of Mr. Balkrishan Mehta, a retired District and Sessions Judge, as an arbitrator.

The necessary declaration under Section 12 of the Act, as sought from Mr. Balkrishan Mehta, a retired District and Sessions Judge, has been received and is placed on record as 'X'.

In the circumstances, in view of the previous order dated 22.07.2022, Mr. Balkrishan Mehta, a retired District and Sessions Judge, 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

26.08.2022

Amodh Sharma

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